

**Arizona First-degree Murder Cases  
Summary of 1995–1999 Indictments:  
Data Set II Research Report to  
Arizona Capital Case Commission**

Submitted by

**The Center for Urban Inquiry  
College of Public Programs  
Arizona State University**

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**In Consort with the Research Subcommittee  
of Arizona Capital Case Commission**

**The Honorable Michael Ryan, Dr. John Stookey,  
Mr. Rick Unklesbay and Attorney General Janet Napolitano**

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## Introduction

The Attorney General's Capital Case Commission was formed in recognition of the need for a comprehensive study of the death penalty process in Arizona. The Commission has four subcommittees: three examine specific parts of the death penalty litigation process (Pre-Trial Issues, Trial Issues, and Direct Appeal/Post-Conviction Relief Issues) and the Data/Research Subcommittee is responsible for compiling data and providing statistical analyses to the Commission.

This report focuses on the first-degree murder indictments in Arizona during the five-year period, 1995–1999. County attorneys indicted 971 individuals for first-degree murder, and at least partial data were available and gathered for all of those individuals. Researchers gathered data from files provided by the clerks of the court in the counties, including information on indictment and sentencing, time intervals, co-defendants, and defendant characteristics. Researchers also searched for additional information on prior criminal record, type of defense counsel, mental/behavior health issues, and victim information.

Data Set II discloses the alternative paths taken by first-degree murder indictment cases. This report focuses on those whose cases have been death noticed, the 381 cases or 39.2 percent of the 971 indicted. Slightly more than one-half of the death-noticed cases (195 of 381 or 51.2%) proceed to trial; and 73 percent of those trials (143 of 195) result in a first-degree murder conviction. One-fifth of the death-noticed defendants who are convicted of first-degree murder at trial are sentenced to death (29 of 143 or 20.3%). In the five-year period under study, two additional individuals were sentenced to death after pleading guilty to first-degree murder. The 31 death sentence cases are in the early stages of appeal. To date, 13 (41.9%) of the death sentences have been affirmed by the Arizona Supreme Court, 1 (3.2%) has been reversed, and 17 (54.8%) are pending.

## Acknowledgments

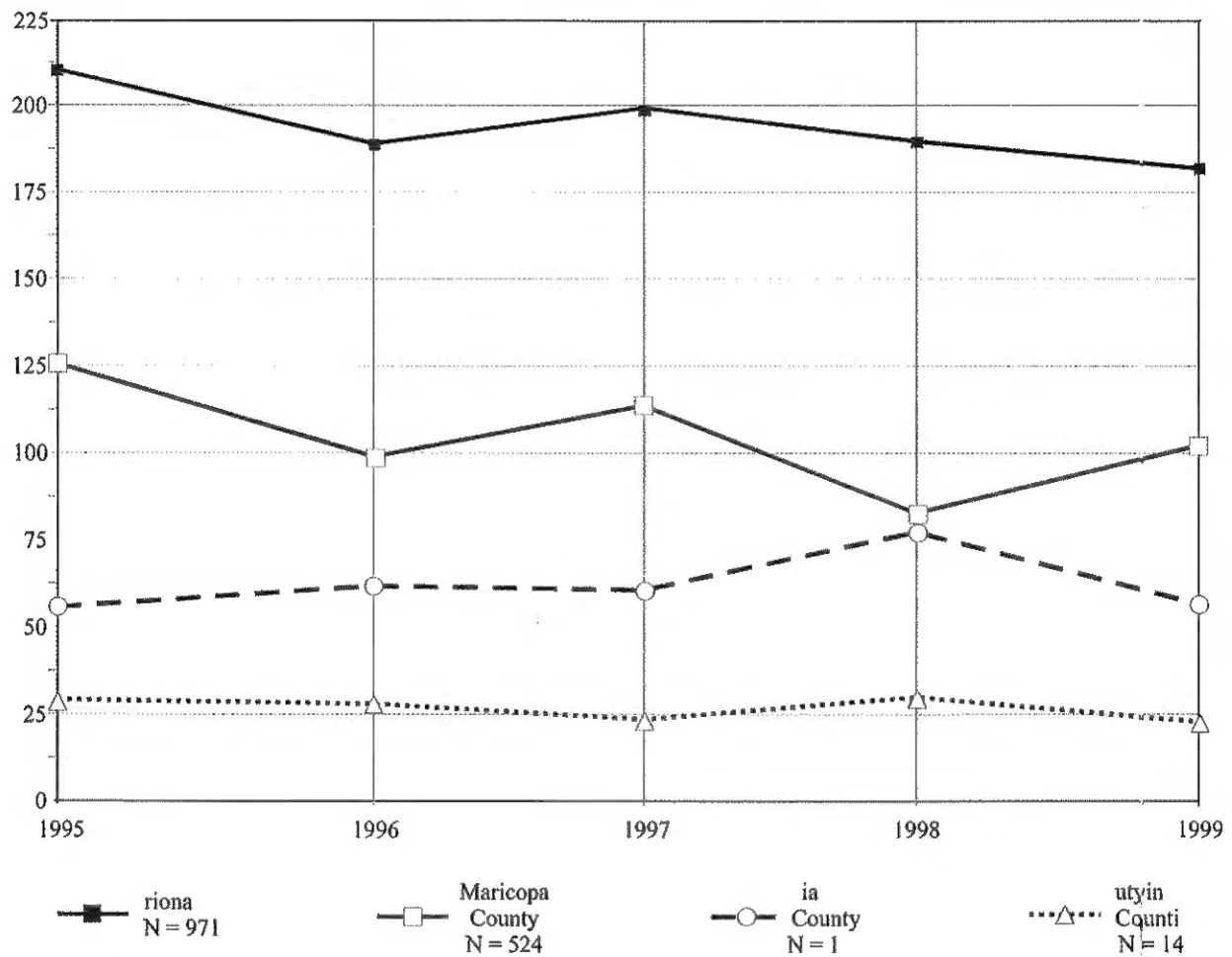
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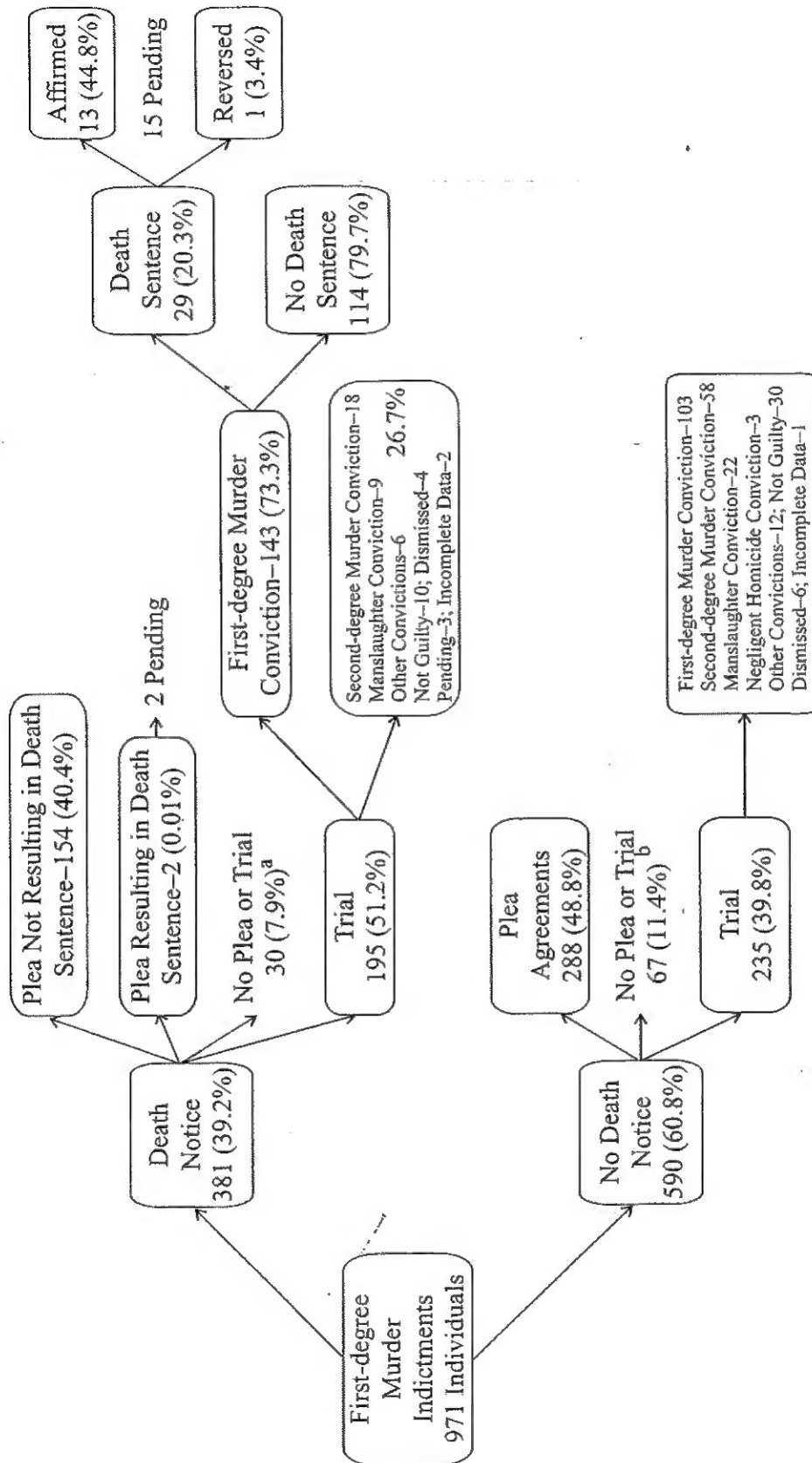
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**Exhibit 1. Number of Individuals Indicted for  
First-degree Murder in Arizona, 1995–1999<sup>a</sup>**



<sup>a</sup>From 1995 to 1999, Maricopa County accounted for almost 59% of Arizona's population and 54% of the first-degree murder indictments. Pima County accounted for 17% of the population and 32% of indictments. The outlying counties accounted for 24% of the population and 14% of the indictments.

**Exhibit 2. Processing of Arizona First-degree Murder Indictments, 1995-1999**



<sup>a</sup>Includes 11 dismissed without prejudice, 1 dismissed with prejudice, 1 dismissed-defendant executed prior to this indictment prosecution, 13 pending, 2 incompetent to stand trial, 1 abscond before sentencing, and 1 incomplete data.

<sup>b</sup>Includes 46 dismissed without prejudice, 4 dismissed with prejudice, 1 defendant suicide, 2 defendants died, 11 pending, 2 outstanding arrest warrant, and 1 incomplete data.

Note: A flowchart for each county is presented in Appendix A, beginning on page 40.



### Exhibit 3. County Comparison: Processing of First-degree Murder Indictments, 1995–1999

|   | Maricopa<br>County | Pima<br>County | Outlying<br>Counties | Arizona      |
|---|--------------------|----------------|----------------------|--------------|
| First-degree Murder Indictments   | N=524              | N=313          | N=134                | N=971        |
| Death Notice Cases<br>(% of First-degree Murder Indictments)  | 230<br>43.9%       | 97<br>31.0%    | 54<br>40.3%          | 381<br>39.2% |
| Death Notice Trials<br>(% of Death Notice Cases)  | 106<br>46.1%       | 57<br>58.8%    | 32<br>59.3%          | 195<br>51.2% |
| Death Notice Trials with Lesser Included Offense<br>Convictions <sup>a</sup> (% of Death Notice Trials)     | 13<br>12.3%        | 9<br>15.8%     | 5<br>15.6%           | 27<br>13.8%  |
| Death Notice Trials with First-degree Murder<br>Convictions (% of Death Notice Trials)                      | 75<br>70.8%        | 42<br>73.7%    | 26<br>81.3%          | 143<br>73.3% |
| Death Sentences after Trial<br>(% of Death Notice Cases with First-degree<br>Murder Conviction after Trial) | 11<br>14.7%        | 11<br>26.2%    | 7<br>26.9%           | 29<br>20.3%  |
| Death Sentences after Plea Agreements<br>(% of Death Sentences)   | 2<br>15.4%         | —              | —                    | 2<br>6.5%    |
| No Death Notice Cases<br>(% of First-degree Murder Indictments)   | 294<br>56.1%       | 216<br>69.0%   | 80<br>59.7%          | 590<br>60.8% |
| No Death Notice Trials with First-degree Murder<br>Convictions (% No Death Notice Trials)                   | 47<br>45.2%        | 42<br>41.2%    | 14<br>48.3%          | 103<br>43.8% |
| No Death Notice Trials with Lesser Included<br>Offense Convictions (% No Death Notice Trials)               | 35<br>33.7%        | 37<br>36.3%    | 11<br>37.9%          | 83<br>35.3%  |
| Not Guilty All Indictment Counts<br>(% Indictments)   | 21<br>4.0%         | 18<br>5.8%     | 1<br>0.7%            | 40<br>4.1%   |

<sup>a</sup>These are convictions for second-degree murder, manslaughter, and negligent homicide.

**Exhibit 4. Most Serious Convictions Resulting from  
Arizona First-degree Murder Indictments, 1995–1999**

|                                    | Number<br>and % of<br>Total<br>N=874 <sup>a</sup> | Death Notice Cases<br>N=381 <sup>b</sup> |                 | No Death Notice<br>Cases<br>N=590 <sup>c</sup> |                 |
|------------------------------------|---|--|-----------------|--|-----------------|
|                                    |   | Trial<br>N = 195                         | Plea<br>N = 156 | Trial<br>N = 235                               | Plea<br>N = 288 |
| <b>Most Serious Conviction</b>     |   |  |                 |  |                 |
| First-degree Murder                | 322<br>36.8%                                      | 143                                      | 61              | 103  | 15              |
| <b>Lesser Included Offenses:</b>   |   |  |                 |  |                 |
| Second-degree Murder               | 237<br>27.1%                                      | 18                                       | 49              | 58   | 112             |
| Manslaughter                       | 129<br>14.8%                                      | 9  | 17              | 22   | 81              |
| Negligent Homicide                 | 13<br>1.5%  | —  | 1               | 3  | 9               |
| Attempted Second-degree Murder     | 1<br>0.1%   | —  | —               | —  | 1               |
| Attempted Manslaughter             | 1<br>0.1%   | —  | —               | —  | 1               |
| Other Offenses                     | 110<br>12.6%                                      | 6  | 26              | 12   | 66              |
| <b>Other Outcome</b>               |   |  |                 |  |                 |
| Not Guilty — All Indictment Counts | 40<br>4.6%  | 10                                       | —               | 30   | —               |
| Dismissed                          | 11<br>1.3%  | 4  | —               | 6  | 1               |
| Pending                            | 5<br>.06%   | 3  | 1               | —  | 1               |
| Incomplete Data                    | 5<br>.06%   | 2  | 1               | 1  | 1               |

<sup>a</sup>There are 97 cases with no plea or trial. See notes below.

<sup>b</sup>There are 30 Death Notice cases with no plea or trial. Includes 11 dismissed without prejudice, 1 dismissed with prejudice, 1 dismissed—defendant executed prior to this indictment prosecution, 13 pending, 2 incompetent to stand trial, 1 abscond before sentencing, and 1 incomplete data.

<sup>c</sup>There are 67 No Death Notice cases with no plea or trial. Includes 46 dismissed without prejudice, 4 dismissed with prejudice, 1 defendant suicide, 2 defendants died, 11 pending, 2 outstanding arrest warrant, and 1 incomplete data.

**Exhibit 5. County Comparison: Most Serious Convictions  
Resulting from First-degree Murder Indictments, 1995–1999**

|                                    | Maricopa<br>County<br>N = 524 | Pima<br>County<br>N = 313 | Outlying<br>Counties<br>N = 134 | Arizona<br>N = 971 |
|------------------------------------|-------------------------------|---------------------------|---------------------------------|--------------------|
| <b>Most Serious Conviction</b>     |                               |                           |                                 |                    |
| First-degree Murder                | 171<br>32.6%                  | 95<br>30.4%               | 56<br>41.8%                     | 322<br>33.2%       |
| Lesser Included Offenses:          |                               |                           |                                 |                    |
| Second-degree Murder               | 152<br>29.0%                  | 57<br>18.2%               | 28<br>20.9%                     | 237<br>24.4%       |
| Manslaughter                       | 71<br>13.5%                   | 43<br>13.7%               | 15<br>11.2%                     | 129<br>13.3%       |
| Negligent Homicide                 | 3<br>0.6%                     | 10<br>3.2%                | —                               | 13<br>1.3%         |
| Attempted Second-degree Murder     | —                             | —                         | 1<br>0.7%                       | 1<br>0.1%          |
| Attempted Manslaughter             | —                             | 1<br>0.3%                 | —                               | 1<br>0.1%          |
| Other Offenses                     | 36<br>6.9%                    | 60<br>19.2%               | 14<br>10.4%                     | 110<br>11.3%       |
| <b>Other Outcome</b>               |                               |                           |                                 |                    |
| Not Guilty — All Indictment Counts | 21<br>4.0%                    | 18<br>5.8%                | 1<br>0.7%                       | 40<br>4.1%         |
| Dismissed                          | 39<br>7.4%                    | 25<br>8.0%                | 13<br>9.7%                      | 77<br>7.9%         |
| Pending                            | 23<br>4.4%                    | 2<br>0.6%                 | 4<br>3.0%                       | 29<br>3.0%         |
| Incompetent to stand trial         | 2<br>0.4%                     | —                         | —                               | 2<br>0.2%          |
| Absconded before sentencing        | —                             | 1<br>0.3%                 | —                               | 1<br>0.1%          |
| Outstanding arrest warrant         | —                             | —                         | 2<br>1.5%                       | 2<br>0.2%          |
| Incomplete Data                    | 6<br>1.1%                     | 1<br>0.3%                 | —                               | 7<br>0.7%          |

**Exhibit 6. Detailed Sentence Outcomes by Trial and Plea Agreement for  
Death Noticed Individuals Convicted of First-degree Murder:  
Arizona First-degree Murder Indictments, 1995-1999**

| First-degree Murder<br>Convictions<br>N = 204 Individuals <sup>a</sup>                    | Sentence   |  |
|---|--|--|
|   | Trial <sup>b</sup>   | Plea Agreement <sup>c</sup>  |
| 6 counts of first-degree murder (2 individuals)   | 2 = 6 death sentences  | None   |
| 4 counts of first-degree murder + 1 count attempted first-degree murder (1 individual)    | 1 = 4 natural life sentences + 9 years   | None   |
| 3 counts of first-degree murder (6 individuals)   | 3 = 3 death sentences<br>2 = 2 death sentences + natural life<br>1 = 3 natural life sentences  | None   |
| 2 counts of first-degree murder + 1 count attempted first-degree murder (1 individual)    | 1 = natural life + 25 years to life + 22 years   | None   |
| 2 counts of first-degree murder (19 individuals)  | 3 = 2 death sentences<br>6 = 2 natural life sentences<br>5 = 2 sentences of 25 years to life<br>1 = Natural life + 25 years to life<br><i>concurrently</i> | None<br>3 = 2 natural life sentences<br>1 = 2 sentences of 25 years to life<br>None  |
| 1 count of first-degree murder + 1 count of second-degree murder (4 individuals)          | 2 = natural life sentence + 22 years<br>1 = natural life sentence + 20 years<br>1 = sentence of 25 years to life + 22 years                                | None   |
| 1 count of first-degree murder + 1 count of attempted first-degree murder (3 individuals) | 1 = natural life sentence + 21 years<br>None   | None<br>2 = natural life sentences + 10.5 years<br>None  |
| 1 count of first-degree murder + 1 count of attempted second-degree murder (1 individual) | 1 = natural life sentence + 21 years   | None   |
| 1 count first-degree murder (147 individuals)   | 19 = death sentences<br>41 = natural life sentences <sup>d</sup><br>5 = sentences of 35 years to life<br>32 = sentences of 25 years to life                | 2 = death sentences<br>26 = natural life sentences <sup>d</sup><br>None<br>22 = sentences of 25 years to life <sup>d</sup> |

<sup>a</sup>184 of the 204 convicted individuals have been sentenced. See below for details.

<sup>b</sup>128 of the 143 individuals convicted at trial have been sentenced; 14 have sentences pending; and there is 1 with incomplete data.

<sup>c</sup>56 of the 61 individuals convicted through plea agreements have been sentenced; 5 have sentences pending.

<sup>d</sup>Includes 1 individual under the supervision of the Psychiatric Security Review Board.

**Exhibit 7. County Comparison of Most Serious Conviction Offense and Sentence for  
First-degree Murder Co-defendants of Individuals Sentenced to Death:  
First-degree Murder Indictments, 1995-1999**

**MARICOPA COUNTY<sup>a</sup>**

| Most Serious Conviction for Co-defendant of Person Sentenced to Death <sup>b</sup> |       | Sentence for Co-defendant of Person Sentenced to Death   |
|--|-------|--|
| First-degree Murder  | N = 5 | 4 = natural life (trials)<br>1 = 25 years to life (plea)   |
| Second-degree Murder   | N = 4 | 1 = prison sentence of 27.5 years (plea)<br>1 = prison sentence of 16 years (plea)<br>1 = prison sentence of 13 years (plea)<br>1 = prison sentence of 10 years (plea) |

<sup>a</sup>7 of the 13 individuals sentenced to death had co-defendants also indicted for first-degree murder. 75% of the co-defendants were death noticed (9 of 12); none of those were sentenced to death.

<sup>b</sup>2 co-defendants of individuals sentenced to death were tried but not convicted of first-degree murder or lesser included offenses; and there are incomplete data for 1 co-defendant who entered into a plea agreement.

**PIMA COUNTY<sup>a</sup>**

| Most Serious Conviction for Co-defendant of Person Sentenced to Death <sup>b</sup> |       | Sentence for Co-defendant of Person Sentenced to Death                           |
|--|-------|--|
| First-degree Murder  | N = 7 | 6 = death sentences (trials)<br>1 = 25 years to life (trial)                     |
| Second-degree Murder   | N = 2 | 1 = prison sentence of 22 years (plea)<br>1 = prison sentence of 16 years (plea) |

<sup>a</sup>9 of the 11 individuals sentenced to death had co-defendants also indicted for first-degree murder. All of the co-defendants were death noticed (11 of 11); 6 of those were sentenced to death.

<sup>b</sup>2 co-defendants of individuals sentenced to death, who entered into plea agreements, were not convicted of first-degree murder or lesser included offenses.

(Exhibit 7 continued)

**OUTLYING COUNTIES<sup>a</sup>**

| Most Serious Conviction for Co-defendant of Person Sentenced to Death |       | Sentence for Co-defendant of Person Sentenced to Death       |
|---|-------|--|
| First-degree Murder   | N = 3 | 2 = death sentences (trials)<br>1 = 25 years to life (trial) |
| Manslaughter  | N = 1 | 1 = prison sentence of 10.5 years (plea)                     |

<sup>a</sup>3 of the 7 individuals sentenced to death had co-defendants also indicted for first-degree murder. 50% of the co-defendants were death noticed (2 of 4), and both were sentenced to death.

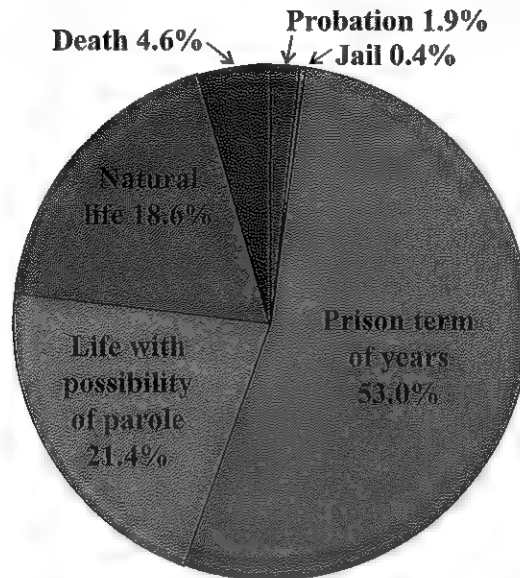
**ARIZONA<sup>a</sup>**

| Most Serious Conviction for Co-defendant of Person Sentenced to Death |        | Sentence for Co-defendant of Person Sentenced to Death   |
|---|--------|--|
| First-degree Murder   | N = 15 | 8 = death sentences (trials)<br>4 = natural life (trials)<br>3 = 25 years to life (2 trials, 1 plea)   |
| Second-degree Murder  | N = 6  | 1 = prison sentence of 27.5 years (plea)<br>1 = prison sentence of 22 years (plea)<br>2 = prison sentence of 16 years (plea)<br>1 = prison sentence of 13 years (plea)<br>1 = prison sentence of 10 years (plea) |
| Manslaughter  | N = 1  | 1 = prison sentence of 10.5 years (plea)   |

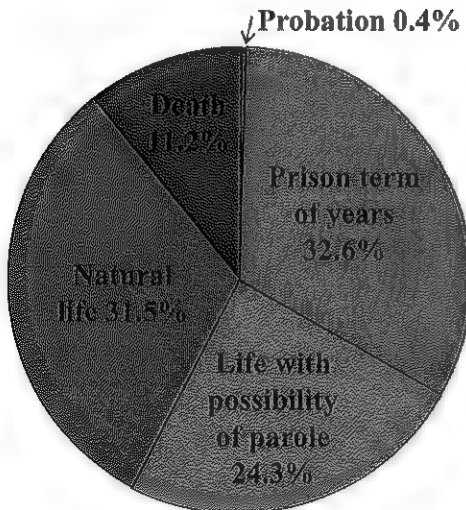
<sup>a</sup>19 of the 31 individuals sentenced to death had co-defendants also indicted for first-degree murder. 82% of the co-defendants were death noticed (22 of 27); 8 of those were sentenced to death.

**Exhibit 8. Sentencing Outcomes for Individuals Convicted of  
First-degree Murder or Lesser Included Offenses:  
Arizona First-degree Murder Indictments, 1995–1999**

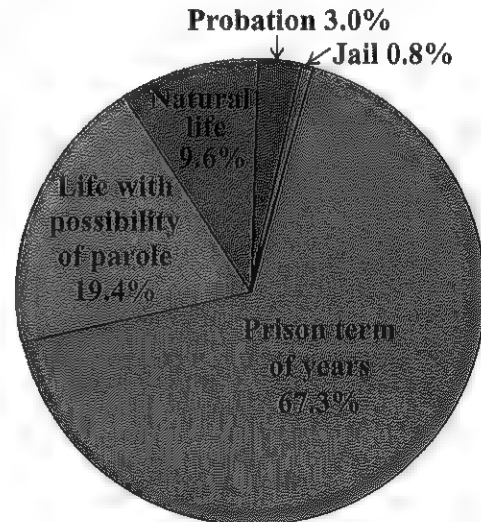
**All Cases**  
**N = 673<sup>a</sup>**



**Death Notice Cases**  
**N = 276<sup>b</sup>**



**No Death Notice Cases**  
**N = 397<sup>c</sup>**



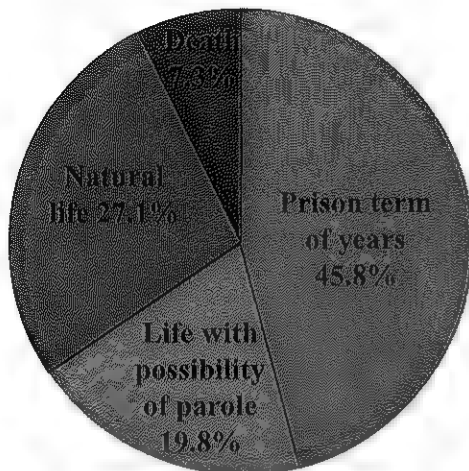
<sup>a</sup>673 of the 703 individuals convicted have been sentenced, 26 have sentences pending, 1 was sent to juvenile prison, 1 absconded before sentencing, and there are 2 cases with incomplete data.

<sup>b</sup>276 of 298 death notice individuals have been convicted and sentenced, 21 have sentences pending, and there is 1 with incomplete data.

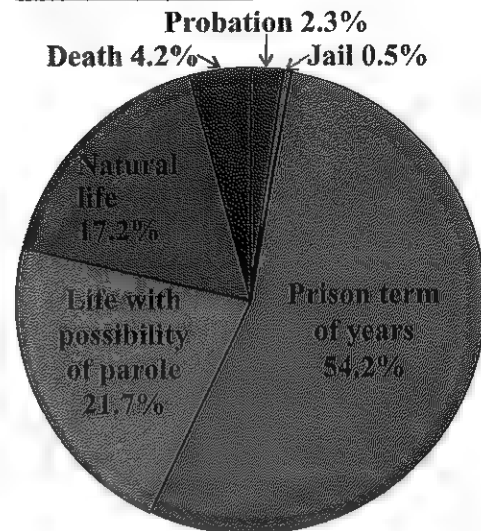
<sup>c</sup>397 of the 405 no death notice individuals have been convicted and sentenced, 5 have sentences pending, 1 was sent to juvenile prison, 1 absconded before sentencing, and there is 1 with incomplete data.

**Exhibit 9. County Comparison: Sentencing Outcomes for Individuals  
Convicted of First-degree Murder or Lesser Included Offenses  
Resulting from First-degree Murder Indictments, 1995–1999<sup>a</sup>**

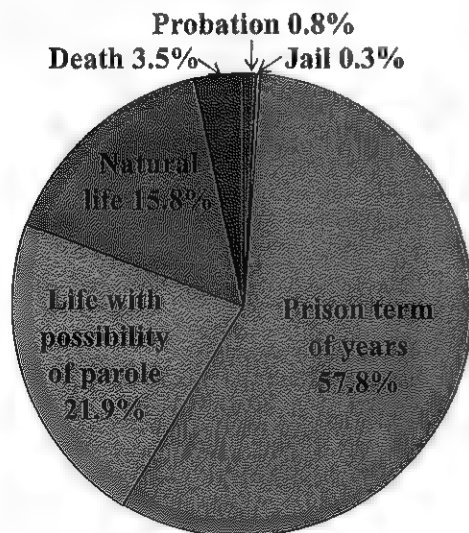
**Outlying Counties (N = 96)**



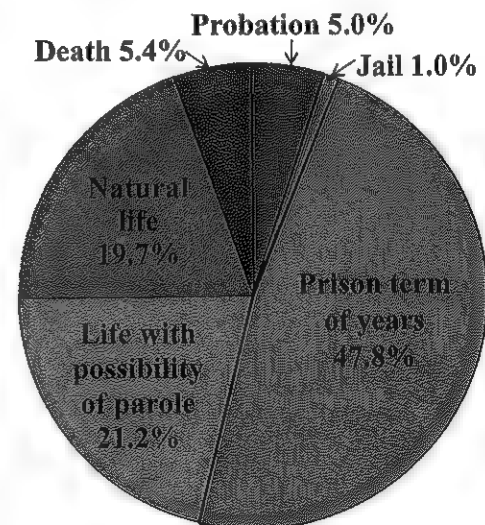
**Urban (N = 577)**



**Maricopa County (N = 374)**



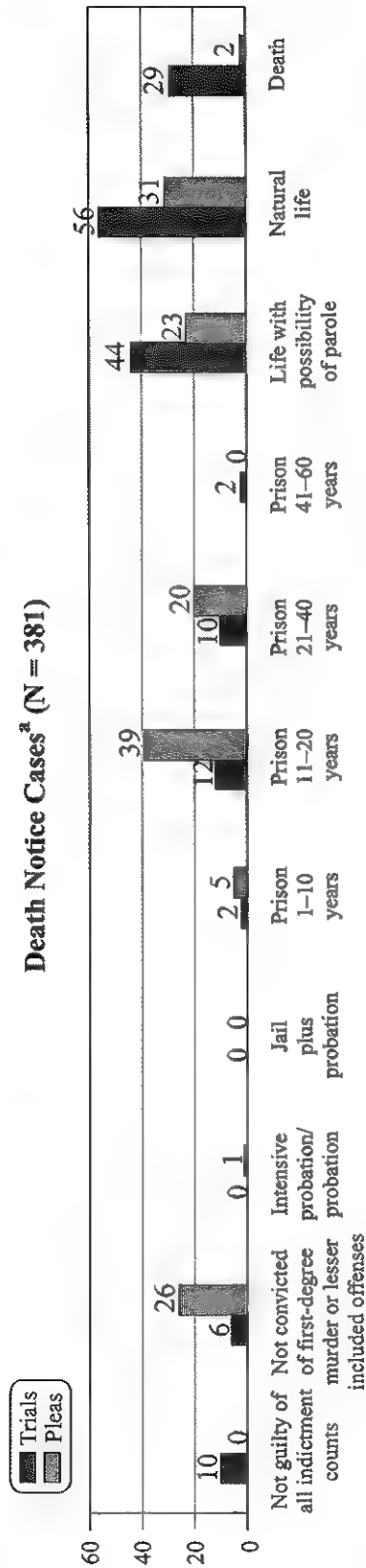
**Pima County (N = 203)**



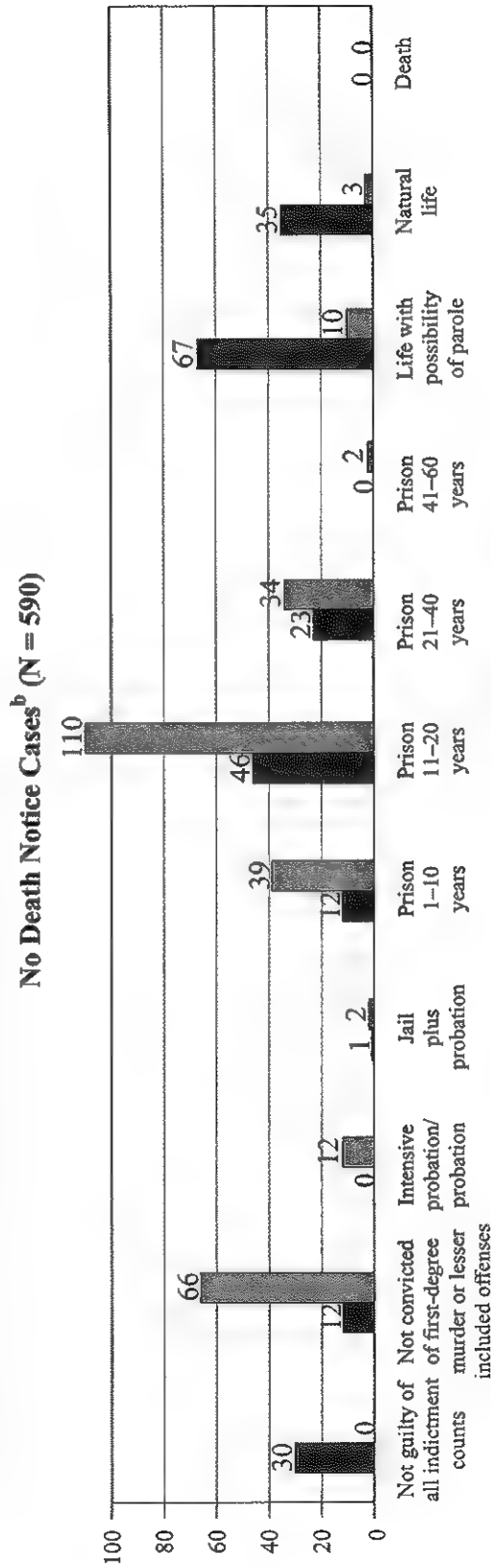
<sup>a</sup>For all of Arizona, 673 of the 703 individuals convicted of first-degree murder have been sentenced, 26 have sentences pending, 1 juvenile was sent to juvenile prison, 1 absconded before sentencing, and there are 2 cases with incomplete data.



# Exhibit 10. Trial and Plea Agreement Sentencing Outcomes for Individuals Convicted of First-degree Murder or Lesser Included Offenses: Arizona First-degree Murder Indictments, 1995-1999

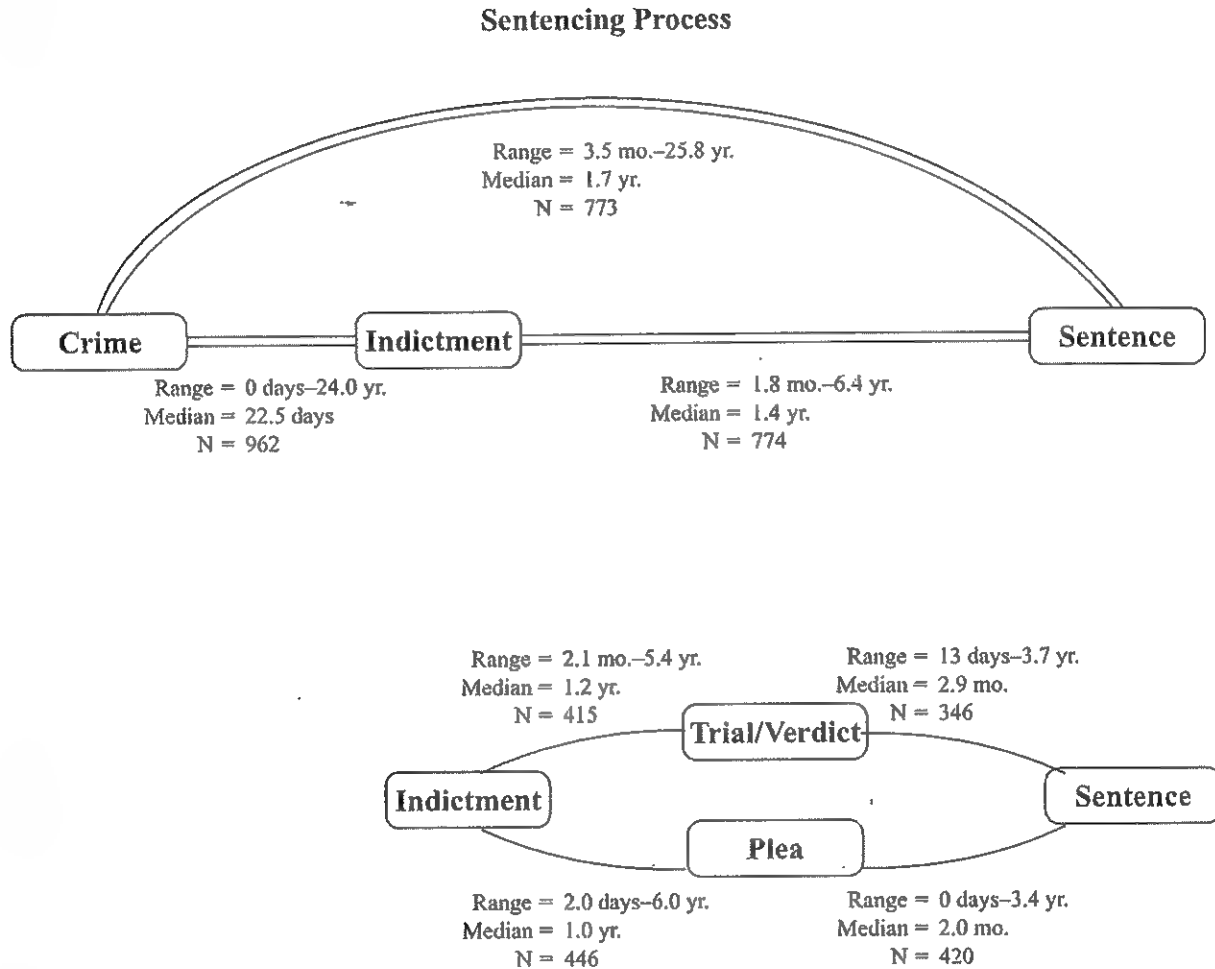


<sup>a</sup>Of the 351 death notice cases involving trials or pleas, 25 were pending, 4 were dismissed at trial, and there were 4 with incomplete data. An additional 30 death notice cases have not involved trial or plea. They include 11 dismissed without prejudice, 1 dismissed with prejudice, 1 dismissed-defendant executed prior to this indictment prosecution, 13 pending, 2 incompetent to stand trial, 1 abscond before sentencing, and 1 incomplete data.



<sup>b</sup>Of the 523 no death notice cases involving trials or pleas, 1 was sent to juvenile prison, 6 were pending, 7 were dismissed, 1 absconded, and there were 4 with incomplete data. An additional 67 no death notice cases have not involved trial or plea. They include 46 dismissed without prejudice, 4 dismissed with prejudice, 1 defendant suicide, 2 defendants died, 11 pending, 2 outstanding arrest warrant, and 1 incomplete data.

## Exhibit 11. Major Time Intervals for Arizona First-degree Murder Indictments, 1995–1999

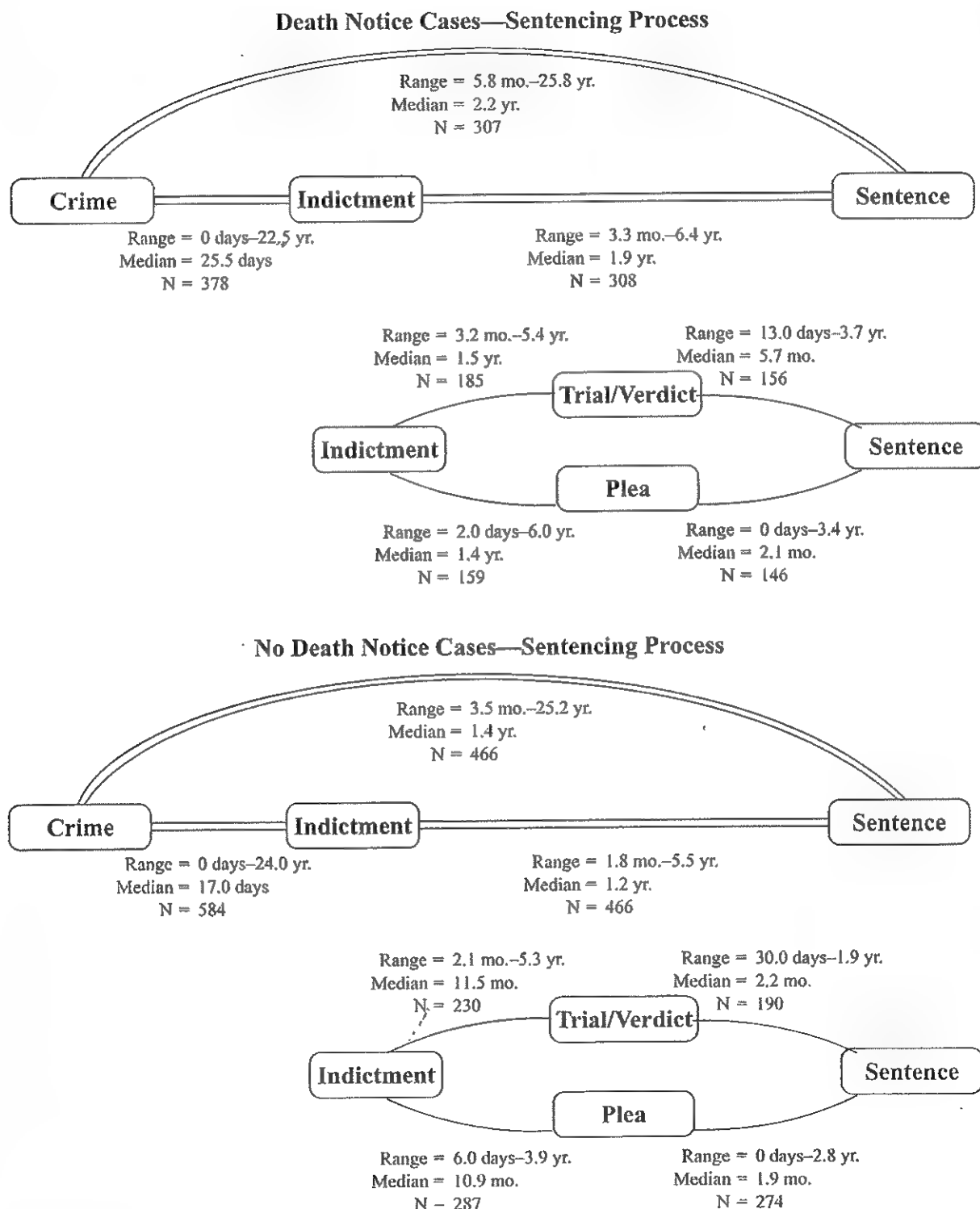


The median is the middle value in the ranked distribution of values.

The range indicates the lowest to the highest values.

Note: Time intervals for each county are presented in Appendix A, beginning on page 41.

## Exhibit 12. Major Time Intervals for Arizona Death Notice Cases and No Death Notice Cases Resulting from First-degree Murder Indictments, 1995–1999



The median is the middle value in the ranked distribution of values.  
 The range indicates the lowest to the highest values.

**Exhibit 13. County Comparison: Major Time Intervals for  
Processing of First-degree Murder Indictments, 1995-1999**

|                        | Maricopa County        |           | Pima County            |           | Outlying Counties      |           |
|------------------------|------------------------|-----------|------------------------|-----------|------------------------|-----------|
|                        | Range                  | Median    | Range                  | Median    | Range                  | Median    |
| <b>Death Notice</b>    |                        |           |                        |           |                        |           |
| Crime to indictment    | 3.0 days–<br>22.5 yrs. | 28.0 days | 0 days–<br>6.3 yrs.    | 20.0 days | 6.0 days–<br>8.4 yrs.  | 1.0 mo.   |
| Indictment to plea     | 3.5 mos.–<br>6.0 yrs.  | 1.8 yrs.  | 2 days–<br>2.8 yrs.    | 8.2 mos.  | 28.0 days–<br>4.0 yrs. | 1.3 yrs.  |
| Plea to sentence       | 15.0 days–<br>3.4 yrs. | 2.4 mos.  | 0 days–<br>1.5 yrs.    | 2.3 mos.  | 0 days–<br>7.2 mos.    | 1.2 mos.  |
| Indictment to trial    | 7.9 mos.–<br>3.9 yrs.  | 1.9 yrs.  | 3.2 mos.–<br>3.0 yrs.  | 11.6 mos. | 4.5 mos.–<br>5.4 yrs.  | 1.5 yrs.  |
| Verdict to sentence    | 15.0 days–<br>3.7 yrs. | 6.4 mos.  | 13.0 days–<br>1.0 yr.  | 5.8 mos.  | 18.0 days–<br>1.3 yrs. | 5.3 mos.  |
| Indictment to sentence | 5.5 mos.–<br>6.4 yrs.  | 2.2 yrs.  | 6.0 mos.–<br>3.9 yrs.  | 1.3 yrs.  | 3.3 mos.–<br>4.0 yrs.  | 1.8 yrs.  |
| Crime to sentence      | 7.6 mos.–<br>25.8 yrs. | 2.5 yrs.  | 6.3 mos.–<br>6.8 yrs.  | 1.7 yrs.  | 5.8 mos.–<br>10.6 yrs. | 1.9 yrs.  |
| <b>No Death Notice</b> |                        |           |                        |           |                        |           |
| Crime to indictment    | 0 days–<br>24.0 yrs.   | 19.0 days | 0 days–<br>17.6 yrs.   | 17.0 days | 1.0 days–<br>5.4 yrs.  | 14.0 days |
| Indictment to plea     | 1.7 mos.–<br>3.9 yrs.  | 1.1 yrs.  | 14.0 days–<br>3.1 yrs. | 7.9 mos.  | 6.0 days–<br>3.0 yrs.  | 9.5 mos.  |
| Plea to sentence       | 0 days–<br>2.8 yrs.    | 2.1 mos.  | 0 days–<br>2.0 yrs.    | 1.7 mos.  | 0 days–<br>2.2 yrs.    | 1.4 mos.  |
| Indictment to trial    | 2.1 mos.–<br>4.5 yrs.  | 1.2 yrs.  | 2.7 mos.–<br>2.5 yrs.  | 9.1 mos.  | 4.0 mos.–<br>5.3 yrs.  | 9.9 mos.  |
| Verdict to sentence    | 1.0 mos.–<br>8.7 mos.  | 2.9 mos.  | 1.0 mos.–<br>1.9 yrs.  | 1.9 mos.  | 1.1 mos.–<br>4.2 mos.  | 1.9 mos.  |
| Indictment to sentence | 2.9 mos.–<br>4.3 yrs.  | 1.5 yrs.  | 2.0 mos.–<br>3.1 yrs.  | 11.4 mos. | 1.8 mos.–<br>5.5 yrs.  | 1.0 yrs.  |
| Crime to sentence      | 5.1 mos.–<br>25.2 yrs. | 1.8 yrs.  | 4.9 mos.–<br>8.9 yrs.  | 1.1 yrs.  | 3.5 mos.–<br>5.6 yrs.  | 1.2 yrs.  |

Note: The range indicates the lowest to highest values. The median is the middle value in the ranked distribution of values and provides an "average" time. Extreme time intervals at the high end of the range reflect unusual circumstances, such as unapprehended suspects, extradition from another jurisdiction, or reindictments.

**Exhibit 14. Outcomes of 1995–1999 Arizona First-degree Murder Indictments by  
Race/Ethnicity of Victim and Defendant**

**Indictments Resulting in Death Sentences<sup>a</sup>**

| Victim<br>Race/Ethnicity | Defendant Race/Ethnicity |                       |                    |                       |                    |                       |                    |                       |
|--------------------------|--------------------------|-----------------------|--------------------|-----------------------|--------------------|-----------------------|--------------------|-----------------------|
|                          | Maricopa County          |                       | Pima County        |                       | Outlying Counties  |                       | Arizona            |                       |
|                          | White<br>Defendant       | Defendant<br>of Color | White<br>Defendant | Defendant<br>of Color | White<br>Defendant | Defendant<br>of Color | White<br>Defendant | Defendant<br>of Color |
| White Victim             | 7.7%<br>8 of 104         | 7.5%<br>3 of 40       | 17.9%<br>7 of 39   | 5.6%<br>1 of 18       | 6.1%<br>4 of 66    | 30.0%<br>3 of 10      | 9.1%<br>19 of 209  | 10.3%<br>7 of 68      |
| Victim of Color          | 0.0%<br>0 of 24          | 1.1%<br>2 of 178      | 7.7%<br>1 of 13    | 1.6%<br>2 of 127      | 0.0%<br>0 of 14    | 0.0%<br>0 of 28       | 2.0%<br>1 of 51    | 1.2%<br>4 of 333      |

**Prosecutorial Decision to Seek the Death Penalty**

| Victim<br>Race/Ethnicity | Defendant Race/Ethnicity |                       |                    |                       |                    |                       |                     |                       |
|--------------------------|--------------------------|-----------------------|--------------------|-----------------------|--------------------|-----------------------|---------------------|-----------------------|
|                          | Maricopa County          |                       | Pima County        |                       | Outlying Counties  |                       | Arizona             |                       |
|                          | White<br>Defendant       | Defendant<br>of Color | White<br>Defendant | Defendant<br>of Color | White<br>Defendant | Defendant<br>of Color | White<br>Defendant  | Defendant<br>of Color |
| White Victim             | 65.4%<br>68 of 104       | 60.0%<br>24 of 40     | 61.5%<br>24 of 39  | 50.0%<br>9 of 18      | 50.0%<br>33 of 66  | 50.0%<br>5 of 10      | 59.8%<br>125 of 209 | 55.9%<br>38 of 68     |
| Victim of Color          | 66.7%<br>16 of 24        | 36.0%<br>64 of 178    | 30.8%<br>4 of 13   | 29.1%<br>37 of 127    | 42.9%<br>6 of 14   | 17.9%<br>5 of 28      | 51.0%<br>26 of 51   | 31.8%<br>106 of 333   |

**Judicial Decision to Sentence to Death<sup>b</sup>**

| Victim<br>Race/Ethnicity | Defendant Race/Ethnicity |                       |                    |                       |                    |                       |                    |                       |
|--------------------------|--------------------------|-----------------------|--------------------|-----------------------|--------------------|-----------------------|--------------------|-----------------------|
|                          | Maricopa County          |                       | Pima County        |                       | Outlying Counties  |                       | Arizona            |                       |
|                          | White<br>Defendant       | Defendant<br>of Color | White<br>Defendant | Defendant<br>of Color | White<br>Defendant | Defendant<br>of Color | White<br>Defendant | Defendant<br>of Color |
| White Victim             | 23.1%<br>6 of 26         | 50.0%<br>3 of 6       | 53.8%<br>7 of 13   | 16.7%<br>1 of 6       | 25.0%<br>4 of 16   | 75.0%<br>3 of 4       | 30.9%<br>17 of 55  | 43.8%<br>7 of 16      |
| Victim of Color          | 0.0%<br>0 of 4           | 12.5%<br>2 of 16      | 50.0%<br>1 of 2    | 20.0%<br>2 of 10      | 0.0%<br>0 of 0     | 0.0%<br>0 of 3        | 14.3%<br>1 of 7    | 13.8%<br>4 of 29      |

<sup>a</sup>These include 29 death sentences from death noticed first-degree murder indictments after conviction at trial and 2 death sentences from death noticed first-degree murder indictments after plea agreements. Both of the latter are Maricopa County cases in which both defendants and victims were white.

<sup>b</sup>These include 29 death sentences from death noticed first-degree murder indictments after conviction at trial.

**Exhibit 15. Victim-Defendant Racial Dyads at Processing Stages of  
Arizona First-degree Murder Indictments, 1995-1999<sup>a</sup>**

Note: Read from left to right. Percentage indicates proportion of defendants from prior stage.

|                                 | Indictments<br>N=656 <sup>b</sup> | Death Notice<br>N=291 <sup>c</sup> | Death Notice<br>Trials<br>N=147 | First-degree<br>Murder<br>Conviction at<br>Trial<br>N=107 | Death Sentence<br>N=29 <sup>d</sup> |
|---------------------------------|-----------------------------------|------------------------------------|---------------------------------|---|-------------------------------------|
| Same Race                       | 466                               | 205<br>44.0%                       | 109<br>53.2%                    | 73 <sup>e</sup><br>67.0%                                  | 18<br>24.7%                         |
| Interracial                     | 187                               | 84<br>44.9%                        | 38<br>45.2%                     | 34 <sup>f</sup><br>89.5%                                  | 11<br>32.4%                         |
| <b>White Victim</b>             | <b>N=277</b>                      | <b>N=163</b><br>58.8%              | <b>N=88</b><br>54.0%            | <b>N=71</b><br>80.7%                                      | <b>N=24</b><br>33.8%                |
| White Defendant                 | 209                               | 125<br>59.8%                       | 71<br>56.8%                     | 55 <sup>g</sup><br>77.5%                                  | 17<br>30.9%                         |
| Defendant of Color              | 68                                | 38<br>55.9%                        | 17<br>44.7%                     | 16<br>94.1%   | 7<br>43.8%                          |
| <i>Hispanic</i>                 | 34                                | 19<br>55.9%                        | 8<br>42.1%                      | 7 <sup>h</sup><br>87.5%                                   | 3<br>42.9%                          |
| <i>African American</i>         | 26                                | 14<br>53.8%                        | 7<br>50.0%                      | 7<br>100.0%   | 2<br>28.6%                          |
| <i>American Indian or Asian</i> | 8                                 | 5<br>62.5%                         | 2<br>40.0%                      | 2<br>100.0%   | 2<br>100.0%                         |
| <b>Hispanic Victim</b>          | <b>N=316</b>                      | <b>N=106</b><br>33.5%              | <b>N=44</b><br>41.5%            | <b>N=25</b><br>56.8%                                      | <b>N=1</b><br>4.0%                  |
| White Defendant                 | 46                                | 24<br>52.2%                        | 6<br>25.0%                      | 5<br>83.3%  | —                                   |
| Defendant of Color              | 270                               | 82<br>30.4%                        | 38<br>46.3%                     | 20<br>52.6%   | 1<br>5.0%                           |
| <i>Hispanic</i>                 | 227                               | 66<br>29.1%                        | 30<br>45.5%                     | 14 <sup>i</sup><br>46.7%                                  | 1<br>7.1%                           |
| <i>African American</i>         | 39                                | 15<br>38.5%                        | 7<br>46.7%                      | 5 <sup>j</sup><br>71.4%                                   | —                                   |
| <i>American Indian or Asian</i> | 4                                 | 1<br>25.0%                         | 1<br>100.0%                     | 1<br>100.0%   | —                                   |

## (Exhibit 15 continued)

|  | Indictments<br>N=43 | Death Notice<br>N=17<br>39.5% | Death Notice<br>Trials<br>N=10<br>58.8% | First-degree<br>Murder<br>Conviction at<br>Trial<br>N=6<br>60.0% | Death Sentence<br>N=1<br>16.7% |
|--|---------------------|-------------------------------|---|--|--------------------------------|
| <b>African American Victim</b>             |                     |                               |   |  |                                |
| White Defendant                            | 2                   | —                             | —                                       | —  | —                              |
| Defendant of Color                         | 41                  | 17<br>41.5%                   | 10<br>58.8%                             | 6<br>60.0%   | 1<br>16.7%                     |
| <i>Hispanic</i>                            | 13                  | 3<br>23.1%                    | 2<br>66.7%                              | 2<br>100.0%  | 1<br>50.0%                     |
| <i>African American</i>                    | 26                  | 14<br>53.8%                   | 8<br>57.1%                              | 4<br>50.0%   | —                              |
| <i>American Indian or Asian</i>            | 2                   | —                             | —                                       | —  | —                              |
| <b>American Indian or Asian<br/>Victim</b> | <b>N=25</b>         | <b>N=9<br/>36.0%</b>          | <b>N=5<br/>55.6%</b>                    | <b>N=5<br/>100.0%</b>  | <b>N=3<br/>60.0%</b>           |
| White Defendant                            | 3                   | 2<br>66.7%                    | 2<br>100.0%                             | 2 <sup>k</sup><br>100.0%   | 1<br>50%                       |
| Defendant of Color                         | 22                  | 7<br>31.8%                    | 3<br>42.9%                              | 3<br>100.0%  | 2<br>66.7%                     |
| <i>Hispanic</i>                            | 9                   | 2<br>22.2%                    | —                                       | —  | —                              |
| <i>African American</i>                    | 5                   | 3<br>60.0%                    | 3<br>100.0%                             | 3<br>100.0%  | 2<br>66.7%                     |
| <i>American Indian or Asian</i>            | 8                   | 2<br>25.0%                    | —                                       | —  | —                              |

<sup>a</sup>Race/ethnicity is known for defendants and their victims in 68% of the indictments (656 of 971), 76% of the death notice cases (291 of 381), 75% of the death notice trials (147 of 195), 75% of the first-degree murder convictions at death notice trials (107 of 143), and 100% of death sentences resulting from death notice trials (29 of 29).

<sup>b</sup>Three defendants are counted in more than one category because they have a victim(s) of the same race and another victim(s) of a different race.

<sup>c</sup>Two defendants are counted in more than one category because they have a victim(s) of the same race and another victim(s) of a different race.

<sup>d</sup>These 29 death sentences resulted from death noticed first-degree murder indictments after conviction at trial. There were 2 additional death sentences after plea agreements. In both cases the defendants and victims were white.

<sup>e</sup>Six sentences pending.

<sup>f</sup>Four sentences pending.

<sup>g</sup>Four Same Race sentences pending.

<sup>h</sup>Two Interracial sentences pending.

<sup>i</sup>Two Same Race sentences pending.

<sup>j</sup>One Interracial sentence pending.

<sup>k</sup>One Interracial sentence pending.

**Exhibit 16. Victim-Defendant Racial Dyads at Processing Stages of  
Maricopa County First-degree Murder Indictments, 1995-1999<sup>a</sup>**  
Note: Read from left to right. Percentage indicates proportion of defendants from prior stage.

|                                 | Indictments<br>N=341 <sup>b</sup> | Death Notice<br>N=168 <sup>c</sup> | Death Notice<br>Trials<br>N=73 | First-degree<br>Murder<br>Conviction at<br>Trial<br>N=52 | Death Sentence<br>N=11 <sup>d</sup> |
|---------------------------------|-----------------------------------|------------------------------------|--------------------------------|--|-------------------------------------|
| Same Race                       | 232                               | 111<br>47.8%                       | 53<br>47.7%                    | 34 <sup>e</sup><br>64.2%                                 | 6<br>17.6%                          |
| Interracial                     | 106                               | 55<br>51.9%                        | 20<br>36.4%                    | 18 <sup>f</sup><br>90.0%                                 | 5<br>27.8%                          |
| <b>White Victim</b>             | <b>N=144</b>                      | <b>N=92</b>                        | <b>N=42</b>                    | <b>N=32</b>  | <b>N=9</b>                          |
|                                 |                                   | 63.9%                              | 45.7%                          | 76.2%  | 28.1%                               |
| White Defendant                 | 104                               | 68<br>65.4%                        | 35<br>51.5%                    | 26 <sup>g</sup><br>74.3%                                 | 6<br>23.1%                          |
| Defendant of Color              | 40                                | 24<br>60.0%                        | 7<br>29.2%                     | 6<br>85.7%   | 3<br>50.0%                          |
| <i>Hispanic</i>                 | 21                                | 13<br>61.9%                        | 4<br>30.8%                     | 3 <sup>h</sup><br>75.0%                                  | 1<br>33.3%                          |
| <i>African American</i>         | 16                                | 9<br>56.3%                         | 3<br>33.3%                     | 3<br>100.0%  | 2<br>66.7%                          |
| <i>American Indian or Asian</i> | 3                                 | 2<br>66.7%                         | —                              | —  | —                                   |
| <b>Hispanic Victim</b>          | <b>N=155</b>                      | <b>N=59</b>                        | <b>N=20</b>                    | <b>N=12</b>  | <b>—</b>                            |
|                                 |                                   | 38.1%                              | 33.9%                          | 60.0%  |                                     |
| White Defendant                 | 22                                | 15<br>68.2%                        | 3<br>20.0%                     | 3<br>100.0%  | —                                   |
| Defendant of Color              | 133                               | 44<br>33.1%                        | 17<br>38.6%                    | 9<br>52.9%   | —                                   |
| <i>Hispanic</i>                 | 106                               | 31<br>29.2%                        | 11<br>35.5%                    | 4 <sup>i</sup><br>36.4%                                  | —                                   |
| <i>African American</i>         | 26                                | 12<br>46.2%                        | 5<br>41.7%                     | 4 <sup>j</sup><br>80.0%                                  | —                                   |
| <i>American Indian or Asian</i> | 1                                 | 1<br>100.0%                        | 1<br>100.0%                    | 1<br>100.0%  | —                                   |



(Exhibit 16 continued)

|  | Indictments<br>N=30 | Death Notice<br>N=16<br>53.3% | Death Notice<br>Trials<br>N=9<br>56.3% | First-degree<br>Murder<br>Conviction at<br>Trial<br>N=6<br>66.7% | Death Sentence<br>N=1<br>16.7% |
|--|---------------------|-------------------------------|--|--|--------------------------------|
| <b>African American Victim</b>             |                     |                               |  |  |                                |
| White Defendant                            | 1                   | —                             | —                                      | —  | —                              |
| Defendant of Color                         | 29                  | 16<br>55.2%                   | 9<br>56.3%                             | 6<br>66.7%   | 1<br>16.7%                     |
| <i>Hispanic</i>                            | 8                   | 3<br>37.5%                    | 2<br>66.7%                             | 2<br>100.0%  | 1<br>50.0%                     |
| <i>African American</i>                    | 21                  | 13<br>61.9%                   | 7<br>53.8%                             | 4<br>57.1%   | —                              |
| <i>American Indian or Asian</i>            | —                   | —                             | —                                      | —  | —                              |
| <b>American Indian or Asian<br/>Victim</b> | <b>N=17</b>         | <b>N=5<br/>29.4%</b>          | <b>N=2<br/>40.0%</b>                   | <b>N=2<br/>100.0%</b>  | <b>N=1<br/>50.0%</b>           |
| White Defendant                            | 1                   | 1<br>100.0%                   | 1<br>100.0%                            | 1 <sup>k</sup><br>100.0%   | —                              |
| Defendant of Color                         | 16                  | 4<br>25.0%                    | 1<br>25.0%                             | 1<br>100.0%  | 1<br>100.0%                    |
| <i>Hispanic</i>                            | 9                   | 2<br>22.2%                    | —                                      | —  | —                              |
| <i>African American</i>                    | 3                   | 1<br>33.3%                    | 1<br>100.0%                            | 1<br>100.0%  | 1<br>100.0%                    |
| <i>American Indian or Asian</i>            | 4                   | 1<br>25.0%                    | —                                      | —  | —                              |

<sup>a</sup>Race/ethnicity is known for defendants and their victims in 65% of the indictments (341 of 524), 73% of the death notice cases (168 of 230), 69% of the death notice trials (73 of 106), 69% of the first-degree murder convictions at death notice trials (52 of 75), and 100% of death sentences (11 of 11).

<sup>b</sup>Three defendants are counted in more than one category because they have a victim(s) of the same race and another victim(s) of a different race.

<sup>c</sup>Two defendants are counted in more than one category because they have a victim(s) of the same race and another victim(s) of a different race.

<sup>d</sup>These 11 death sentences resulted from death noticed first-degree murder indictments after conviction at trial. There were 2 additional death sentences after plea agreements. In both cases the defendants and victims were white.

<sup>e</sup>Five sentences pending.

<sup>f</sup>Three sentences pending.

<sup>g</sup>Three Same Race sentences pending.

<sup>h</sup>One Interracial sentence pending.

<sup>i</sup>Two Same Race sentences pending.

<sup>j</sup>One Interracial sentence pending.

<sup>k</sup>One Interracial sentence pending.

**Exhibit 17. Victim-Defendant Racial Dyads at Processing Stages of  
Pima County First-degree Murder Indictments, 1995-1999<sup>a</sup>**

Note: Read from left to right. Percentage indicates proportion of defendants from prior stage.

|                                 | Indictments<br>N=197 | Death Notice<br>N=74 | Death Notice<br>Trials<br>N=44 | First-degree<br>Murder<br>Conviction at<br>Trial<br>N=31 | Death Sentence<br>N=11 |
|---------------------------------|----------------------|----------------------|--------------------------------|--|------------------------|
| Same Race                       | 143                  | 56<br>39.2%          | 32<br>57.1%                    | 20<br>62.5%  | 8<br>40.0%             |
| Interracial                     | 54                   | 18<br>33.3%          | 12<br>66.7%                    | 11<br>91.7%  | 3<br>27.3%             |
| <b>White Victim</b>             | <b>N=57</b>          | <b>N=33</b><br>57.9% | <b>N=22</b><br>66.7%           | <b>N=19</b><br>86.4%                                     | <b>N=8</b><br>42.1%    |
| White Defendant                 | 39                   | 24<br>61.5%          | 16<br>66.7%                    | 13<br>81.3%  | 7<br>53.8%             |
| Defendant of Color              | 18                   | 9<br>50.0%           | 6<br>66.7%                     | 6<br>100.0%  | 1<br>16.7%             |
| <i>Hispanic</i>                 | 7                    | 3<br>42.9%           | 1<br>33.3%                     | 1<br>100.0%  | —                      |
| <i>African American</i>         | 10                   | 5<br>50.0%           | 4<br>80.0%                     | 4<br>100.0%  | —                      |
| <i>American Indian or Asian</i> | 1                    | 1<br>100.0%          | 1<br>100.0%                    | 1<br>100.0%  | 1<br>100.0%            |
| <b>Hispanic Victim</b>          | <b>N=124</b>         | <b>N=37</b><br>29.8% | <b>N=18</b><br>48.6%           | <b>N=9</b><br>50.0%                                      | <b>N=1</b><br>11.1%    |
| White Defendant                 | 11                   | 3<br>27.3%           | 1<br>33.3%                     | 1<br>100.0%  | —                      |
| Defendant of Color              | 113                  | 34<br>30.1%          | 17<br>50.0%                    | 8<br>47.1%   | 1<br>12.5%             |
| <i>Hispanic</i>                 | 99                   | 31<br>31.3%          | 15<br>48.4%                    | 7<br>46.7%   | 1<br>14.3%             |
| <i>African American</i>         | 12                   | 3<br>25.0%           | 2<br>66.7%                     | 1<br>50.0%   | —                      |
| <i>American Indian or Asian</i> | 2                    | —                    | —                              | —  | —                      |

## (Exhibit 17 continued)

|  | Indictments | Death Notice | Death Notice | First-degree  |                |
|--|-------------|--------------|--------------|---------------|----------------|
|  | N=12        | N=1          | Trials       | Murder        |                |
|  |             |              | N=1          | Conviction at | Death Sentence |
|  |             |              |              | Trial         |                |
| <b>African American Victim</b>         |             | 8.3%         | 100.0%       | —             | —              |
| White Defendant                        | 1           | —            | —            | —             | —              |
| Defendant of Color                     | 11          | 1            | 1            | —             | —              |
|  |             | 9.1%         | 100.0%       |               |                |
| <i>Hispanic</i>                        | 5           | —            | —            | —             | —              |
| <i>African American</i>                | 4           | 1            | 1            | —             | —              |
|  |             | 25.0%        | 100.0%       |               |                |
| <i>American Indian or Asian</i>        | 2           | —            | —            | —             | —              |
| <b>American Indian or Asian Victim</b> | <b>N=4</b>  | <b>N=3</b>   | <b>N=3</b>   | <b>N=3</b>    | <b>N=2</b>     |
|  |             | 75.0%        | 100.0%       | 100.0%        | 66.7%          |
| White Defendant                        | 1           | 1            | 1            | 1             | 1              |
|  |             | 100.0%       | 100.0%       | 100.0%        | 100.0%         |
| Defendant of Color                     | 3           | 2            | 2            | 2             | 1              |
|  |             | 66.7%        | 100.0%       | 100.0%        | 50.0%          |
| <i>Hispanic</i>                        | —           | —            | —            | —             | —              |
| <i>African American</i>                | 2           | 2            | 2            | 2             | 1              |
|  |             | 100.0%       | 100.0%       | 100.0%        | 50.0%          |
| <i>American Indian or Asian</i>        | 1           | —            | —            | —             | —              |

<sup>a</sup>Race/ethnicity is known for defendants and their victims in 63% of the indictments (197 of 313), 76% of the death notice cases (74 of 97), 77% of the death notice trials (44 of 57), 74% of the first-degree murder convictions at death notice trials (31 of 42), and 100% of death sentences (11 of 11).

**Exhibit 18. Victim-Defendant Racial Dyads at Processing Stages of  
Outlying Counties First-degree Murder Indictments, 1995-1999<sup>a</sup>**

Note: Read from left to right. Percentage indicates proportion of defendants from prior stage.

|                                 | Indictments<br>N=118 | Death Notice<br>N=49 | Death Notice<br>Trials<br>N=30 | First-degree<br>Murder<br>Conviction at<br>Trial<br>N=24 | Death Sentence<br>N=7 |
|---------------------------------|----------------------|----------------------|--------------------------------|--|-----------------------|
| Same Race                       | 91                   | 38<br>41.8%          | 24<br>63.2%                    | 19 <sup>b</sup><br>79.2%                                 | 4<br>21.1%            |
| Interracial                     | 27                   | 11<br>40.7%          | 6<br>54.5%                     | 5 <sup>c</sup><br>83.3%                                  | 3<br>60.0%            |
| <b>White Victim</b>             | <b>N=76</b>          | <b>N=38</b><br>50.0% | <b>N=24</b><br>63.2%           | <b>N=20</b><br>83.3%                                     | <b>7</b><br>35.0%     |
| White Defendant                 | 66                   | 33<br>50.0%          | 20<br>60.6%                    | 16 <sup>d</sup><br>80.0%                                 | 4<br>25.0%            |
| Defendant of Color              | 10                   | 5<br>50.0%           | 4<br>80.0%                     | 4<br>100.0%  | 3<br>75.0%            |
| <i>Hispanic</i>                 | 6                    | 3<br>50.0%           | 3<br>100.0%                    | 3 <sup>e</sup><br>100.0%                                 | 2<br>66.7%            |
| <i>African American</i>         | —                    | —                    | —                              | —  | —                     |
| <i>American Indian or Asian</i> | 4                    | 2<br>50.0%           | 1<br>50.0%                     | 1<br>100.0%  | 1<br>100.0%           |
| <b>Hispanic Victim</b>          | <b>N=37</b>          | <b>N=10</b><br>27.0% | <b>N=6</b><br>60.0%            | <b>N=4</b><br>66.7%                                      | <b>—</b>              |
| White Defendant                 | 13                   | 6<br>46.2%           | 2<br>33.3%                     | 1<br>50.0%   | —                     |
| Defendant of Color              | 24                   | 4<br>16.7%           | 4<br>100.0%                    | 3<br>75.0%   | —                     |
| <i>Hispanic</i>                 | 22                   | 4<br>18.2%           | 4<br>100.0%                    | 3<br>75.0%   | —                     |
| <i>African American</i>         | 1                    | —                    | —                              | —  | —                     |
| <i>American Indian or Asian</i> | 1                    | —                    | —                              | —  | —                     |

## (Exhibit 18 continued)

|  | Indictments | Death Notice        | Death Notice Trials | First-degree Murder Conviction at Trial | Death Sentence |
|--|-------------|---------------------|---------------------|---|----------------|
| <b>African American Victim</b>         | <b>N=1</b>  | —                   | —                   | —                                       | —              |
| White Defendant                        | —           | —                   | —                   | —                                       | —              |
| Defendant of Color                     | 1           | —                   | —                   | —                                       | —              |
| <i>Hispanic</i>                        | —           | —                   | —                   | —                                       | —              |
| <i>African American</i>                | 1           | —                   | —                   | —                                       | —              |
| <i>American Indian or Asian</i>        | —           | —                   | —                   | —                                       | —              |
| <b>American Indian or Asian Victim</b> | <b>N=4</b>  | <b>N=1</b><br>25.0% | —                   | —                                       | —              |
| White Defendant                        | 1           | —                   | —                   | —                                       | —              |
| Defendant of Color                     | 3           | 1<br>33.3%          | —                   | —                                       | —              |
| <i>Hispanic</i>                        | —           | —                   | —                   | —                                       | —              |
| <i>African American</i>                | —           | —                   | —                   | —                                       | —              |
| <i>American Indian or Asian</i>        | 3           | 1<br>33.3%          | —                   | —                                       | —              |

<sup>a</sup>Race/ethnicity is known for defendants and their victims in 88% of the indictments (118 of 134), 91% of the death notice cases (49 of 54), 94% of the death notice trials (30 of 32), 92% of the first-degree murder convictions at death notice trials (24 of 26), and 100% of death sentences (7 of 7).

<sup>a</sup>One sentence pending.

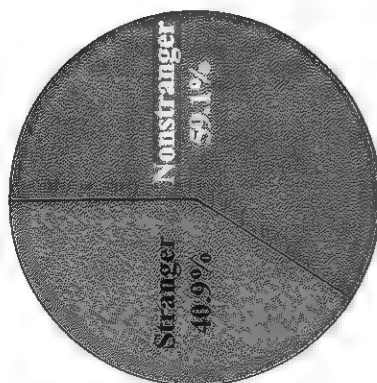
<sup>b</sup>One sentence pending.

<sup>c</sup>One Same Race sentence pending.

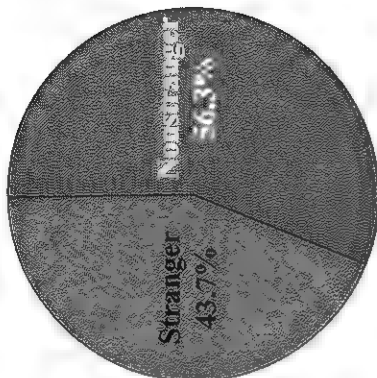
<sup>d</sup>One Interracial sentence pending.

# **Exhibit 19. Victim-Defendant Relationships—Stranger or Known: Arizona First-degree Murder Indictments, 1995–1999<sup>a</sup>**

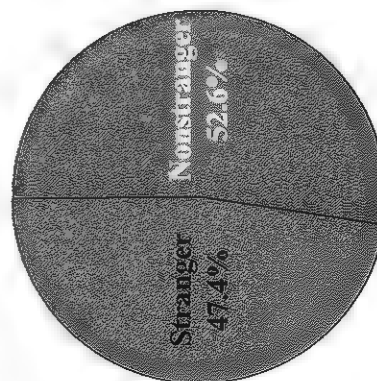
**All Indictments**



**Death Notice**



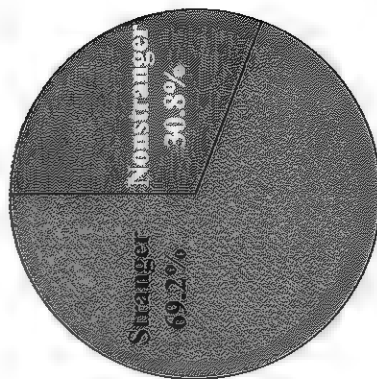
**Death Notice Trials**



**Death Notice First-degree  
Murder Conviction Trials**



**Death Sentence**



<sup>a</sup>Where data are available, "relationship" refers to the link between one defendant and one victim. Multiple victims and/or defendants generate multiple relationships. For example, a defendant with two victims would account for two "relationships," one to each victim.

**Exhibit 20. County Comparison of Victim-Defendant Relationships,  
Stranger or Known: First-degree Murder Indictments, 1995-1999**

|   | Maricopa<br>County | Pima<br>County | Outlying<br>Counties | Arizona      |
|---|--------------------|----------------|----------------------|--------------|
| <b>All Indictments</b>  |                    |                |                      |              |
| Stranger  | 191<br>45.7%       | 66<br>34.0%    | 53<br>36.3%          | 310<br>40.9% |
| No Stranger   | 227<br>54.3%       | 128<br>66.0%   | 93<br>63.7%          | 448<br>59.1% |
| <b>Death Notice Cases</b>   |                    |                |                      |              |
| Stranger  | 88<br>42.3%        | 45<br>44.6%    | 32<br>46.4%          | 165<br>43.7% |
| No Stranger   | 120<br>57.7%       | 56<br>55.4%    | 37<br>53.6%          | 213<br>56.3% |
| <b>Death Notice Trials</b>  |                    |                |                      |              |
| Stranger  | 44<br>44.0%        | 35<br>53.0%    | 21<br>46.7%          | 100<br>47.4% |
| No Stranger   | 56<br>56.0%        | 31<br>47.0%    | 24<br>53.3%          | 111<br>52.6% |
| <b>Death Notice Trials First-degree Murder<br/>Convictions</b>                  |                    |                |                      |              |
| Stranger  | 35<br>44.9%        | 32<br>59.3%    | 20<br>54.1%          | 87<br>51.5%  |
| No Stranger   | 43<br>55.1%        | 22<br>40.7%    | 17<br>45.9%          | 82<br>48.5%  |
| <b>Death Notice Trials First-degree Murder<br/>Conviction No Death Sentence</b> |                    |                |                      |              |
| Stranger  | 30<br>46.2%        | 10<br>35.7%    | 11<br>45.8%          | 51<br>43.6%  |
| No Stranger   | 35<br>53.8%        | 18<br>64.3%    | 13<br>54.2%          | 66<br>56.4%  |
| <b>Death Sentences</b>  |                    |                |                      |              |
| Stranger  | 5<br>38.5%         | 22<br>84.6%    | 9<br>69.2%           | 36<br>69.2%  |
| No Stranger   | 8<br>61.5%         | 4<br>15.4%     | 4<br>30.8%           | 16<br>30.8%  |

**Exhibit 21. County Comparison of Type of Victim-Defendant Relationship Dyads:  
First-degree Murder Indictments, 1995-1999**

| Relationship Type                         | Maricopa<br>County | Pima<br>County   | Outlying<br>Counties <sup>a</sup> | Urban<br>Counties | Arizona          |
|---|--------------------|------------------|-----------------------------------|-------------------|------------------|
| <b>All Indictments</b>                    | <b>412 dyads</b>   | <b>208 dyads</b> | <b>145 dyads</b>                  | <b>620 dyads</b>  | <b>765 dyads</b> |
| Friends, neighbors, acquaintances         | 117<br>28.4%       | 71<br>34.1%      | 50<br>34.5%                       | 188<br>30.3%      | 238<br>31.1%     |
| Family                                    | 60<br>14.6%        | 29<br>13.9%      | 24<br>16.6%                       | 89<br>14.4%       | 113<br>14.8%     |
| Co-participants in illegal activities     | 52<br>12.6%        | 37<br>17.8%      | 10<br>6.9%                        | 89<br>14.4%       | 99<br>12.9%      |
| Business                                  | 5<br>1.2%          | 2<br>1.0%        | 2<br>1.4%                         | 7<br>1.1%         | 9<br>1.2%        |
| Sexual partners, including<br>cohabitants | 12<br>2.9%         | 4<br>1.9%        | 3<br>2.1%                         | 16<br>2.6%        | 19<br>2.5%       |
| Strangers                                 | 162<br>39.3%       | 65<br>31.3%      | 53<br>36.6%                       | 227<br>36.6%      | 280<br>36.6%     |
| Unable to categorize                      | 4<br>1.0%          | —                | 3<br>2.1%                         | 4<br>0.6%         | 7<br>0.9%        |
| <b>Death Notice Cases</b>                 | <b>206 dyads</b>   | <b>103 dyads</b> | <b>69 dyads</b>                   | <b>309 dyads</b>  | <b>378 dyads</b> |
| Friends, neighbors, acquaintances         | 59<br>28.6%        | 28<br>27.2%      | 20<br>29.0%                       | 87<br>28.2%       | 107<br>28.3%     |
| Family                                    | 32<br>15.5%        | 13<br>12.6%      | 10<br>14.5%                       | 45<br>14.6%       | 55<br>14.6%      |
| Co-participants in illegal activities     | 24<br>11.7%        | 16<br>15.5%      | 4<br>5.8%                         | 40<br>12.9%       | 44<br>11.6%      |
| Business                                  | 5<br>2.4%          | —                | 2<br>2.9%                         | 5<br>1.6%         | 7<br>1.9%        |
| Sexual Partners including<br>cohabitants  | 6<br>2.9%          | 1<br>1.0%        | 1<br>1.4%                         | 7<br>2.3%         | 8<br>2.1%        |
| Strangers                                 | 78<br>37.9%        | 45<br>43.7%      | 32<br>46.4%                       | 123<br>39.8%      | 155<br>41.0%     |
| Unable to categorize                      | 2<br>1.0%          | —                | —                                 | 2<br>0.6%         | 2<br>0.5%        |



## (Exhibit 21 continued)

| Relationship Type  | Maricopa County  | Pima County     | Outlying Counties <sup>a</sup> | Urban Counties   | Arizona          |
|--|------------------|-----------------|--------------------------------|------------------|------------------|
| <b>Death Notice Trials</b>                                 | <b>101 dyads</b> | <b>68 dyads</b> | <b>45 dyads</b>                | <b>169 dyads</b> | <b>214 dyads</b> |
| Friends, neighbors, acquaintances                          | 26<br>25.7%      | 15<br>22.1%     | 12<br>26.7%                    | 41<br>24.3%      | 53<br>24.8%      |
| Family   | 19<br>18.8%      | 9<br>13.2%      | 7<br>15.6%                     | 28<br>16.6%      | 35<br>16.4%      |
| Co-participants in illegal activities                      | 10<br>9.9%       | 8<br>11.8%      | 3<br>6.7%                      | 18<br>10.7%      | 21<br>9.8%       |
| Business   | 3<br>3.0%        | —               | 2<br>4.4%                      | 3<br>1.8%        | 5<br>2.3%        |
| Sexual partners including cohabitants                      | 4<br>4.0%        | 1<br>1.5%       | —                              | 5<br>3.0%        | 5<br>2.3%        |
| Strangers  | 39<br>38.6%      | 35<br>51.5%     | 21<br>46.7%                    | 74<br>43.8%      | 95<br>44.4%      |
| <b>Death Notice Trials First-degree Murder Convictions</b> | <b>78 dyads</b>  | <b>55 dyads</b> | <b>37 dyads</b>                | <b>133 dyads</b> | <b>170 dyads</b> |
| Friends, neighbors, acquaintances                          | 19<br>24.4%      | 11<br>20.0%     | 8<br>21.6%                     | 30<br>22.6%      | 38<br>22.4%      |
| Family   | 15<br>19.2%      | 5<br>9.1%       | 4<br>10.8%                     | 20<br>15.0%      | 24<br>14.1%      |
| Co-participants in illegal activities                      | 9<br>11.5%       | 7<br>12.7%      | 3<br>8.1%                      | 16<br>12.0%      | 19<br>11.2%      |
| Business   | 1<br>1.3%        | —               | 2<br>5.4%                      | 1<br>0.8%        | 3<br>1.8%        |
| Sexual partners including cohabitants                      | 4<br>5.1%        | —               | —                              | 4<br>3.0%        | 4<br>2.4%        |
| Strangers  | 30<br>38.5%      | 32<br>58.2%     | 20<br>54.1%                    | 62<br>46.6%      | 82<br>48.2%      |

## (Exhibit 21 continued)

| Relationship Type                        | Maricopa<br>County | Pima<br>County  | Outlying<br>Counties <sup>a</sup> | Urban<br>Counties | Arizona         |
|--|--------------------|-----------------|-----------------------------------|-------------------|-----------------|
| <b>Death Sentences</b>                   | <b>15 dyads</b>    | <b>26 dyads</b> | <b>13 dyads</b>                   | <b>41 dyads</b>   | <b>54 dyads</b> |
| Friends, neighbors, acquaintances        | 5<br>33.3%         | 2<br>7.7%       | 4<br>30.8%                        | 7<br>17.1%        | 11<br>20.4%     |
| Family                                   | 2<br>13.3%         | 1<br>3.8%       | —                                 | 3<br>7.3%         | 3<br>5.6%       |
| Co-participants in illegal activities    | —                  | 1<br>3.8%       | —                                 | 1<br>2.4%         | 1<br>1.9%       |
| Business                                 | 1<br>6.7%          | —               | —                                 | 1<br>2.4%         | 1<br>1.9%       |
| Sexual partners including<br>cohabitants | 1<br>6.7%          | —               | —                                 | 1<br>2.4%         | 1<br>1.9%       |
| Strangers                                | 6<br>40.0%         | 22<br>84.6%     | 9<br>69.2%                        | 28<br>68.3%       | 37<br>68.5%     |

**Exhibit 22. County Comparison: Defendant Primary Language at Processing  
Stages Resulting from First-degree Murder Indictments, 1995-1999**

|  | Maricopa<br>County | Pima<br>County | Outlying<br>Counties <sup>a</sup> | Urban<br>Counties | Arizona <sup>a</sup> |
|--|--------------------|----------------|-----------------------------------|-------------------|----------------------|
| <b>First-degree Murder Indictments</b>                       |                    |                |                                   |                   |                      |
| Other than English   | 57<br>10.9%        | 30<br>9.6%     | 9<br>6.8%                         | 87<br>10.4%       | 96<br>9.9%           |
| English  | 467<br>89.1%       | 283<br>90.4%   | 123<br>93.2%                      | 750<br>89.6%      | 873<br>90.1%         |
| <b>Death Notice</b>  |                    |                |                                   |                   |                      |
| Other than English   | 15<br>6.5%         | 8<br>8.2%      | 3<br>5.6%                         | 23<br>7.0%        | 26<br>6.8%           |
| English  | 215<br>93.5%       | 89<br>91.8%    | 51<br>94.4%                       | 304<br>93.0%      | 355<br>93.2%         |
| <b>Death Notice Trials</b>                                   |                    |                |                                   |                   |                      |
| Other than English   | 4<br>3.8%          | 3<br>5.3%      | 2<br>6.2%                         | 7<br>4.3%         | 9<br>4.6%            |
| English  | 102<br>96.2%       | 54<br>94.7%    | 30<br>93.8%                       | 156<br>95.7%      | 186<br>95.4%         |
| <b>First-degree Murder Conviction at Death Notice Trials</b> |                    |                |                                   |                   |                      |
| Other than English   | 0<br>0.0%          | 2<br>4.8%      | 2<br>7.7%                         | 2<br>1.8%         | 4<br>2.8%            |
| English  | 75<br>100.0%       | 40<br>95.2%    | 24<br>92.3%                       | 115<br>98.2%      | 139<br>97.2%         |
| <b>Death Sentences</b>                                       |                    |                |                                   |                   |                      |
| Other than English   | 0<br>0.0%          | 0<br>0.0%      | 0<br>0.0%                         | 0<br>0.0%         | 0<br>0.0%            |
| English  | 13<br>100.0%       | 11<br>100.0%   | 7<br>100.0%                       | 24<br>100.0%      | 31<br>100.0%         |

<sup>a</sup>Two of the first-degree murder indictments from outlying counties are not included in this analysis because the indicted individuals were never apprehended.

**Exhibit 23. County Comparison: Sex of Defendants at Processing Stages  
Resulting from First-degree Murder Indictments, 1995-1999**

|  | Maricopa<br>County | Pima<br>County | Outlying<br>Counties | Urban<br>Counties | Arizona      |
|--|--------------------|----------------|----------------------|-------------------|--------------|
| <b>All Indictments</b>   | <b>524</b>         | <b>313</b>     | <b>134</b>           | <b>837</b>        | <b>971</b>   |
| Male   | 477<br>91.0%       | 277<br>88.5%   | 118<br>88.1%         | 754<br>90.1%      | 872<br>89.8% |
| Female   | 47<br>9.0%         | 36<br>11.5%    | 16<br>11.9%          | 83<br>9.9%        | 99<br>10.2%  |
| <b>Death Notice Cases</b>                                      | <b>230</b>         | <b>97</b>      | <b>54</b>            | <b>327</b>        | <b>381</b>   |
| Male   | 211<br>91.7%       | 82<br>84.5%    | 48<br>88.9%          | 293<br>89.6%      | 341<br>89.5% |
| Female   | 19<br>8.3%         | 15<br>15.5%    | 6<br>11.1%           | 34<br>10.4%       | 40<br>10.5%  |
| <b>Death Notice Trials</b>                                     | <b>106</b>         | <b>57</b>      | <b>32</b>            | <b>163</b>        | <b>195</b>   |
| Male   | 100<br>94.3%       | 51<br>89.5%    | 29<br>90.6%          | 151<br>92.6%      | 180<br>92.3% |
| Female   | 6<br>5.7%          | 6<br>10.5%     | 3<br>9.4%            | 12<br>7.4%        | 15<br>7.7%   |
| <b>Death Notice Trials First-degree<br/>Murder Convictions</b> | <b>75</b>          | <b>42</b>      | <b>26</b>            | <b>117</b>        | <b>143</b>   |
| Male   | 69<br>92.0%        | 40<br>95.2%    | 23<br>88.5%          | 109<br>93.2%      | 132<br>92.3% |
| Female   | 6<br>8.0%          | 2<br>4.8%      | 3<br>11.5%           | 8<br>6.8%         | 11<br>7.7%   |
| <b>Death Sentences</b>   | <b>13</b>          | <b>11</b>      | <b>7</b>             | <b>24</b>         | <b>31</b>    |
| Male   | 12<br>92.3%        | 11<br>100.0%   | 7<br>100.0%          | 23<br>95.8%       | 30<br>96.8%  |
| Female   | 1<br>7.7%          | —              | —                    | 1<br>4.2%         | 1<br>3.2%    |

**Exhibit 24. County Comparison: Defendant Age at Processing Stages  
Resulting from First-degree Murder Indictments, 1995-1999**

|                           | Maricopa<br>County | Pima<br>County | Outlying<br>Counties <sup>a</sup> | Urban<br>Counties | Arizona      |
|---------------------------|--------------------|----------------|-----------------------------------|-------------------|--------------|
| <b>All Indictments</b>    | <b>524</b>         | <b>313</b>     | <b>134</b>                        | <b>837</b>        | <b>971</b>   |
| 17 years or less          | 85<br>16.2%        | 30<br>9.6%     | 20<br>14.9%                       | 115<br>13.7%      | 135<br>13.9% |
| 18 or 19 years            | 66<br>12.6%        | 62<br>19.8%    | 9<br>6.7%                         | 128<br>15.3%      | 137<br>14.1% |
| 20-25 years               | 161<br>30.7%       | 99<br>31.6%    | 33<br>24.6%                       | 260<br>31.1%      | 293<br>30.2% |
| 26-30 years               | 74<br>14.1%        | 50<br>16.0%    | 20<br>14.9%                       | 124<br>14.8%      | 144<br>14.8% |
| 31-35 years               | 55<br>10.5%        | 24<br>7.7%     | 20<br>14.9%                       | 79<br>9.4%        | 99<br>10.2%  |
| 36-40 years               | 29<br>5.5%         | 24<br>7.7%     | 10<br>7.5%                        | 53<br>6.3%        | 63<br>6.5%   |
| 41-65 years               | 50<br>9.5%         | 15<br>4.8%     | 18<br>13.4%                       | 65<br>7.8%        | 83<br>8.5%   |
| 66 years or more          | 2<br>0.4%          | —              | 1<br>0.7%                         | 2<br>0.2%         | 3<br>0.3%    |
| Unknown                   | 2<br>0.4%          | 9<br>2.9%      | 3<br>2.2%                         | 11<br>1.3%        | 14<br>1.4%   |
| <b>Death Notice Cases</b> | <b>230</b>         | <b>97</b>      | <b>54</b>                         | <b>327</b>        | <b>381</b>   |
| 17 years or less          | 21<br>9.1%         | 7<br>7.2%      | 7<br>13.0%                        | 28<br>8.6%        | 35<br>9.2%   |
| 18 or 19 years            | 28<br>12.2%        | 12<br>12.4%    | 4<br>7.4%                         | 40<br>12.2%       | 44<br>11.5%  |
| 20-25 years               | 70<br>30.4%        | 36<br>37.1%    | 10<br>18.5%                       | 106<br>32.4%      | 116<br>30.4% |
| 26-30 years               | 37<br>16.1%        | 22<br>22.7%    | 10<br>18.5%                       | 59<br>18.0%       | 69<br>18.1%  |
| 31-35 years               | 28<br>12.2%        | 7<br>7.2%      | 12<br>22.2%                       | 35<br>10.7%       | 47<br>12.3%  |

## (Exhibit 24 continued)

|  | Maricopa<br>County | Pima<br>County | Outlying<br>Counties <sup>a</sup> | Urban<br>Counties | Arizona    |
|--|--------------------|----------------|-----------------------------------|-------------------|------------|
| Death Notice Cases continued                                   | 17                 | 6              | 6                                 | 23                | 29         |
| 36-40 years  | 7.4%               | 6.2%           | 11.1%                             | 7.0%              | 7.6%       |
| 41-65 years  | 29                 | 4              | 4                                 | 33                | 37         |
|  | 12.6%              | 4.1%           | 7.4%                              | 10.1%             | 9.7%       |
| 66 years or more   | —                  | —              | —                                 | —                 | —          |
| Unknown  | —                  | 3              | 1                                 | 3                 | 4          |
|  |                    | 3.1%           | 1.9%                              | 0.9%              | 1.0%       |
| <b>Death Notice Trials</b>                                     | <b>106</b>         | <b>57</b>      | <b>32</b>                         | <b>163</b>        | <b>195</b> |
| 17 years or less   | 11                 | 2              | 4                                 | 13                | 17         |
|  | 10.4%              | 3.5%           | 12.5%                             | 8.0%              | 8.7%       |
| 18 or 19 years   | 16                 | 7              | 1                                 | 23                | 24         |
|  | 15.1%              | 12.3%          | 3.1%                              | 14.1%             | 12.3%      |
| 20-25 years  | 28                 | 22             | 8                                 | 50                | 58         |
|  | 26.4%              | 38.6%          | 25.0%                             | 30.7%             | 29.7%      |
| 26-30 years  | 18                 | 13             | 5                                 | 31                | 36         |
|  | 17.0%              | 22.8%          | 15.6%                             | 19.0%             | 18.5%      |
| 31-35 years  | 10                 | 6              | 7                                 | 16                | 23         |
|  | 9.4%               | 10.5%          | 21.9%                             | 9.8%              | 11.8%      |
| 36-40 years  | 10                 | 3              | 4                                 | 13                | 17         |
|  | 9.4%               | 5.3%           | 12.5%                             | 8.0%              | 8.7%       |
| 41-65 years  | 13                 | 2              | 3                                 | 15                | 18         |
|  | 12.3%              | 3.5%           | 9.4%                              | 9.2%              | 9.2%       |
| 66 years or more   | —                  | —              | —                                 | —                 | —          |
| Unknown  | —                  | 2              | —                                 | 2                 | 2          |
|  |                    | 3.5%           |                                   | 1.2%              | 1.0%       |
| <b>Death Notice Trials First-degree<br/>Murder Convictions</b> | <b>75</b>          | <b>42</b>      | <b>26</b>                         | <b>117</b>        | <b>143</b> |
| 17 years or less   | 8                  | 1              | 3                                 | 9                 | 12         |
|  | 10.7%              | 2.4%           | 11.5%                             | 7.7%              | 8.4%       |
| 18 or 19 years   | 10                 | 6              | 1                                 | 16                | 17         |
|  | 13.3%              | 14.3%          | 3.8%                              | 13.7%             | 11.9%      |

## (Exhibit 24 continued)

|  | Maricopa<br>County | Pima<br>County | Outlying<br>Counties <sup>a</sup> | Urban<br>Counties | Arizona   |
|--|--------------------|----------------|-----------------------------------|-------------------|-----------|
| Death Notice Trials First-degree<br>Murder Convictions continued | 18                 | 15             | 7                                 | 33                | 46        |
| 20-25 years  | 24.0%              | 35.7%          | 26.9%                             | 28.2%             | 28.0%     |
| 26-30 years  | 13                 | 11             | 3                                 | 24                | 27        |
|  | 17.3%              | 26.2%          | 11.5%                             | 20.5%             | 18.9%     |
| 31-35 years  | 8                  | 3              | 6                                 | 11                | 17        |
|  | 10.7%              | 7.1%           | 23.1%                             | 9.4%              | 11.9%     |
| 36-40 years  | 7                  | 3              | 3                                 | 10                | 13        |
|  | 9.3%               | 7.1%           | 11.5%                             | 8.5%              | 9.1%      |
| 41-65 years  | 11                 | 2              | 3                                 | 13                | 16        |
|  | 14.7%              | 4.8%           | 11.5%                             | 11.1%             | 11.2%     |
| 66 years or more   | —                  | —              | —                                 | —                 | —         |
| Unknown  | —                  | 1              | —                                 | 1                 | 1         |
|  |                    | 2.4%           |                                   | 0.9%              | 0.9%      |
| <b>Death Sentences</b>   | <b>13</b>          | <b>11</b>      | <b>7</b>                          | <b>24</b>         | <b>31</b> |
| 17 years or less   | —                  | 1              | 1                                 | 1                 | 2         |
|  |                    | 9.1%           | 14.3%                             | 4.2%              | 6.5%      |
| 18 or 19 years   | 2                  | 1              | —                                 | 3                 | 3         |
|  | 15.4%              | 9.1%           |                                   | 12.5%             | 9.7%      |
| 20-25 years  | 3                  | 4              | 3                                 | 7                 | 10        |
|  | 23.1%              | 36.4%          | 42.9%                             | 29.2%             | 32.3%     |
| 26-30 years  | 3                  | 5              | —                                 | 8                 | 8         |
|  | 23.1%              | 45.5%          |                                   | 33.3%             | 25.8%     |
| 31-35 years  | 5                  | —              | 2                                 | 5                 | 7         |
|  | 38.5%              |                | 28.6%                             | 20.8%             | 22.6%     |
| 36-40 years  | —                  | —              | —                                 | —                 | —         |
| 41-65 years  | —                  | —              | 1                                 | —                 | 1         |
|  |                    |                | 14.3%                             |                   | 3.2%      |
| 66 years or more   | —                  | —              | —                                 | —                 | —         |

**Exhibit 25. Defendant Race/Ethnicity at Processing Stages in  
Arizona First-degree Murder Indictments, 1995–1999**

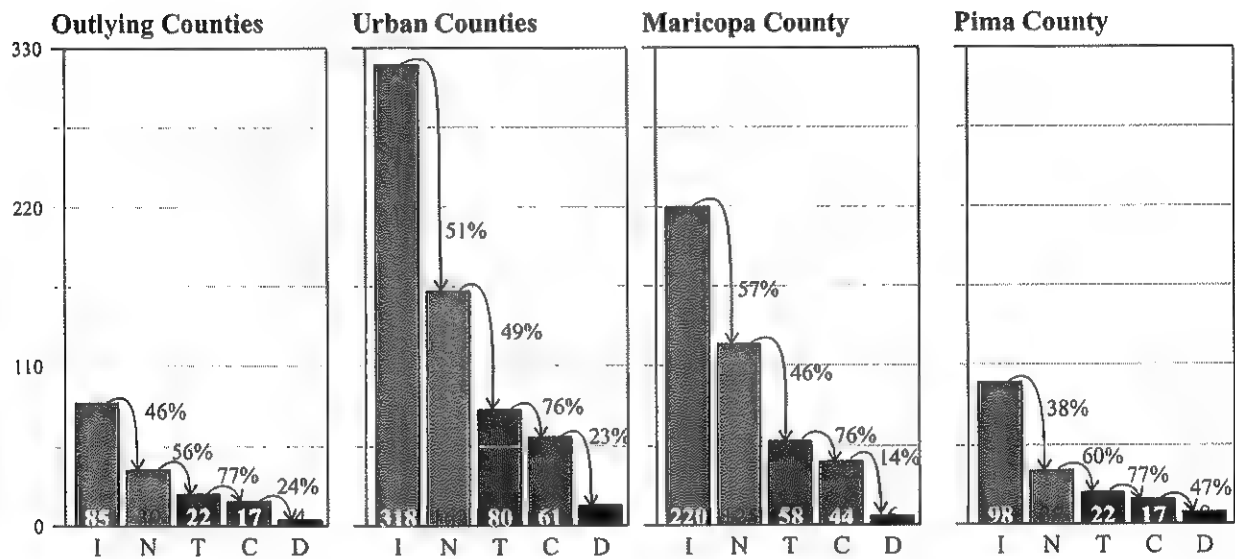
|                                     | Population<br>15 Years or<br>Older<br>N=3,980,166 | Individuals<br>Indicted for<br>First-degree<br>Murder<br>N=971 | No Death<br>Notice<br>N=590 | Death<br>Notice<br>N=381 | Death<br>Notice<br>Trials<br>N=195 | Death<br>Notice with<br>First-degree<br>Murder<br>Conviction<br>at Trial<br>N=143 | Death<br>Sentence<br>N=31 |
|-------------------------------------|---|--|-----------------------------|--------------------------|------------------------------------|---|---------------------------|
| White/Anglo                         | 2,710,740<br>68.1%                                | 403<br>41.5%   | 202<br>34.2%                | 201<br>52.8%             | 102<br>52.3%                       | 78<br>54.5%   | 20<br>64.5%               |
| Hispanic/Mexican<br>American        | 873,086<br>21.9%                                  | 347<br>35.7%   | 246<br>41.7%                | 101<br>26.5%             | 50<br>25.6%                        | 31<br>21.7%   | 5<br>16.1%                |
| Black/African<br>American           | 115,925<br>2.9%                                   | 166<br>17.1%   | 102<br>17.3%                | 64<br>16.8%              | 36<br>18.5%                        | 27<br>18.9%   | 4<br>12.9%                |
| American Indian/<br>Native American | 171,809<br>4.3%                                   | 26<br>2.7%   | 17<br>2.9%                  | 9<br>2.4%                | 2<br>1.0%                          | 2<br>1.4%   | 1<br>3.2%                 |
| Asian/Asian<br>American             | 79,527<br>2.0%                                    | 8<br>0.8%  | 7<br>1.2%                   | 1<br>0.3%                | 1<br>0.5%                          | 1<br>0.7%   | 1<br>3.2%                 |
| Other                               | 29,079<br>0.7%                                    | 2<br>0.2%  | 2<br>0.3%                   | —                        | —                                  | —   | —                         |
| Unknown                             | —   | 19<br>2.0%   | 14<br>2.4%                  | 5<br>1.3%                | 4<br>2.1%                          | 4<br>2.8%   | —                         |



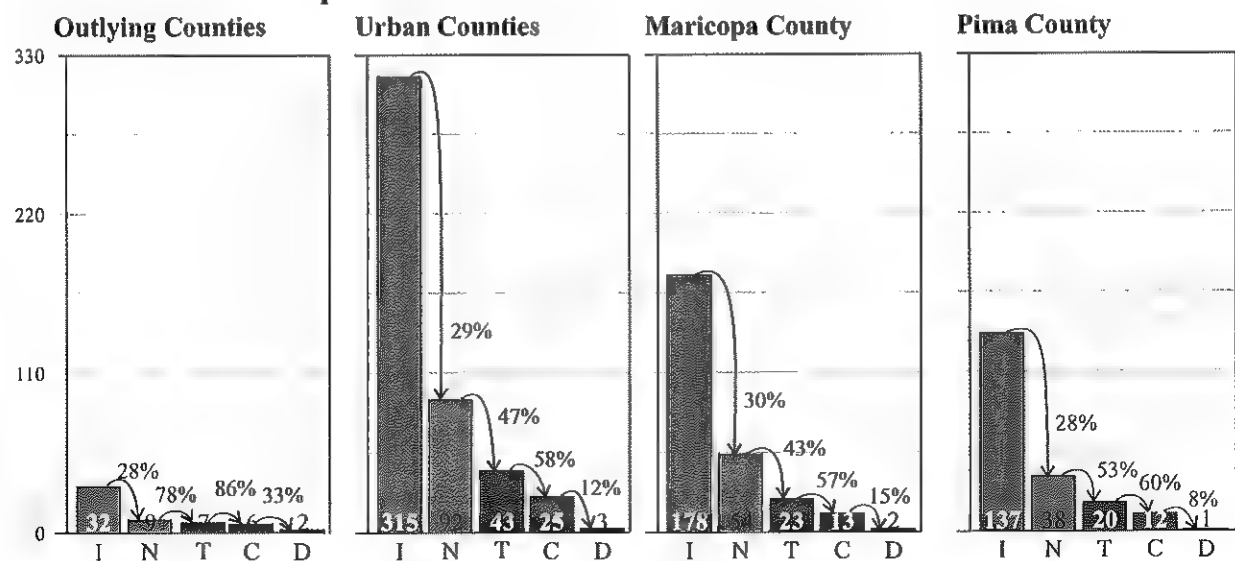
## Exhibit 26. County Comparisons: Defendant Race/Ethnicity for Processing Stages Resulting from First-degree Murder Indictments, 1995–1999<sup>a</sup>

I = First-degree Murder Indictments      C = First-degree Murder Conviction after Trial in Death Notice Case  
 N = Death Notice      D = Death Sentence  
 T = Death Notice Trial

### White/Anglo Defendants—N = 403



### Hispanic/Mexican American Defendants—N = 345

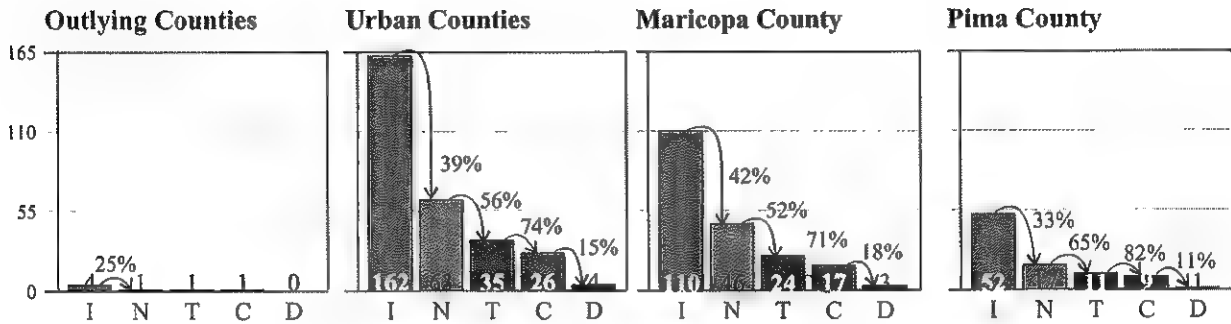


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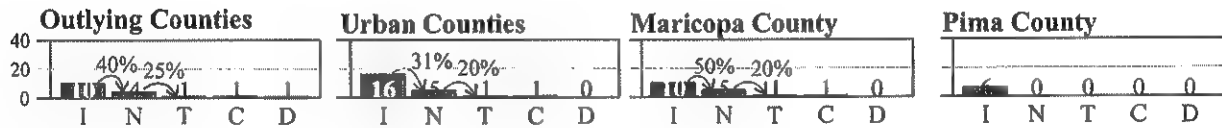
(Exhibit 26 continued)

I = First-degree Murder Indictments    C = First-degree Murder Conviction after Trial in Death Notice Case  
 N = Death Notice    D = Death Sentence  
 T = Death Notice Trial

**Black/African American Defendants—N = 166**



**American Indian/Native American Defendants—N = 26**



**Asian/Asian American Defendants—N = 7**



<sup>a</sup>Race/ethnicity was determined for defendants in 846 indictments.

**Exhibit 27. Defendant Characteristics:  
Arizona First-degree Murder Indictments, 1995-1999**

|  | Maricopa<br>County<br>N = 524 | Pima<br>County<br>N = 313 | Outlying<br>Counties<br>N = 134 | Urban<br>Counties<br>N = 837 | Arizona<br>N = 971 |
|--|-------------------------------|---------------------------|---------------------------------|------------------------------|--------------------|
| <b>Highest Education Level Completed</b> |                               |                           |                                 |                              |                    |
| 1st-6th Grade                            | 18<br>3.4%                    | 6<br>1.9%                 | 7<br>5.2%                       | 24<br>2.9%                   | 31<br>3.2%         |
| 7th-9th Grade                            | 52<br>9.9%                    | 30<br>9.6%                | 26<br>19.4%                     | 82<br>9.8%                   | 108<br>11.1%       |
| 10th-11th Grade                          | 69<br>13.2%                   | 45<br>14.4%               | 19<br>14.2%                     | 114<br>13.6%                 | 133<br>13.7%       |
| High School                              | 52<br>9.9%                    | 39<br>12.5%               | 21<br>15.7%                     | 91<br>10.9%                  | 112<br>11.5%       |
| GED                                      | 33<br>6.3%                    | 3<br>1.0%                 | 14<br>10.4%                     | 36<br>4.3%                   | 50<br>5.1%         |
| Some college                             | 32<br>6.1%                    | 22<br>7.0%                | 8<br>6.0%                       | 54<br>6.5%                   | 62<br>6.4%         |
| College graduate                         | 8<br>1.5%                     | 1<br>0.3%                 | 3<br>2.2%                       | 9<br>1.1%                    | 12<br>1.2%         |
| Graduate school                          | 13<br>2.5%                    | —                         | —                               | 13<br>1.6%                   | 13<br>1.3%         |
| Cases with data                          | 277<br>52.9%                  | 146<br>46.6%              | 98<br>73.1%                     | 423<br>50.5%                 | 521<br>53.7%       |
| Cases missing data                       | 247<br>47.1%                  | 167<br>53.4%              | 36<br>26.9%                     | 414<br>49.5%                 | 450<br>46.3%       |
| <b>Employment Status</b>                 |                               |                           |                                 |                              |                    |
| Full-time                                | 77<br>14.7%                   | 59<br>18.8%               | 19<br>14.2%                     | 136<br>16.2%                 | 155<br>16.0%       |
| Part-time                                | 30<br>5.7%                    | 15<br>4.8%                | 12<br>9.0%                      | 45<br>5.4%                   | 57<br>5.9%         |
| Unemployed                               | 212<br>40.5%                  | 87<br>27.8%               | 87<br>64.9%                     | 299<br>35.7%                 | 386<br>39.8%       |
| Cases with data                          | 319<br>60.9%                  | 161<br>51.4%              | 118<br>88.1%                    | 480<br>57.3%                 | 598<br>61.6%       |
| Cases missing data                       | 205<br>39.1%                  | 152<br>48.6%              | 16<br>11.9%                     | 357<br>42.7%                 | 373<br>38.4%       |

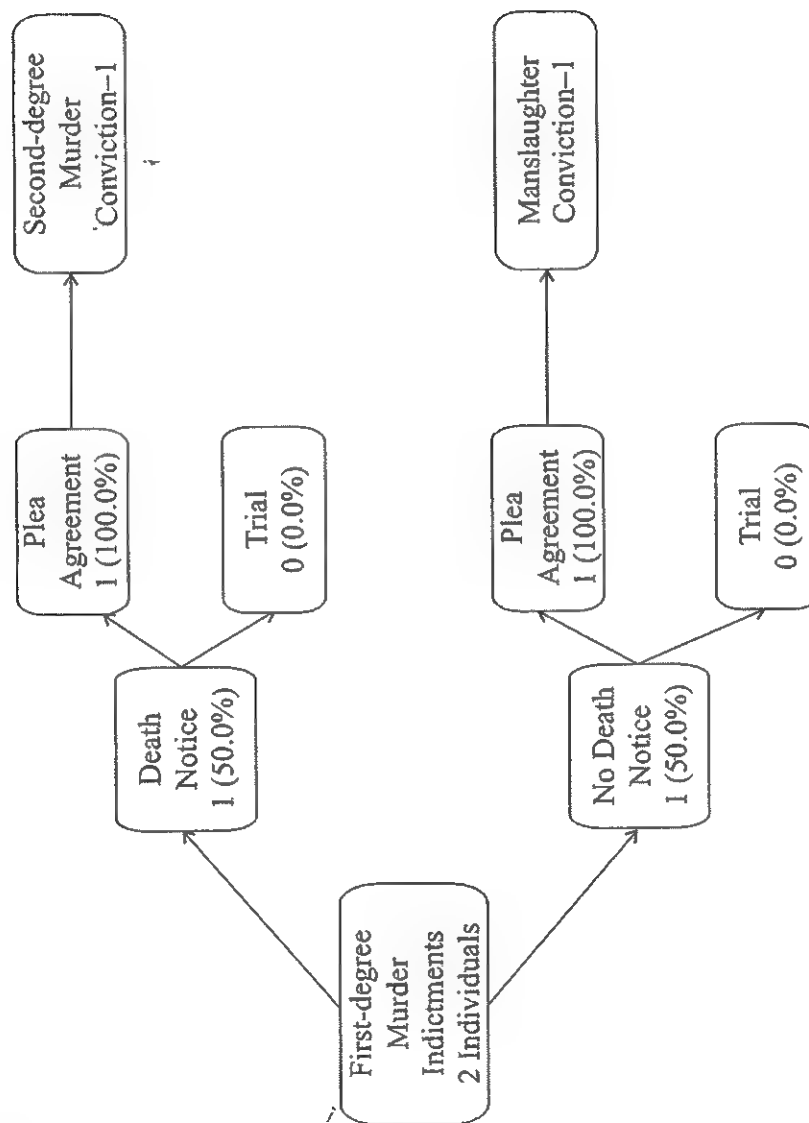
## (Exhibit 27 continued)

|                    | Maricopa<br>County<br>N = 524 | Pima<br>County<br>N = 313 | Outlying<br>Counties<br>N = 134 | Urban<br>Counties<br>N = 837 | Arizona<br>N = 971 |
|--------------------|-------------------------------|---------------------------|---------------------------------|------------------------------|--------------------|
| <b>Citizenship</b> |                               |                           |                                 |                              |                    |
| United States      | 281<br>53.6%                  | 156<br>49.8%              | 119<br>88.8%                    | 437<br>52.2%                 | 556<br>57.3%       |
| Mexico             | 38<br>7.3%                    | 19<br>6.1%                | 7<br>5.2%                       | 57<br>6.8%                   | 64<br>6.6%         |
| Other              | 2<br>0.4%                     | 3<br>1.0%                 | 1<br>0.7%                       | 5<br>0.6%                    | 6<br>0.6%          |
| Cases with data    | 321<br>61.3%                  | 178<br>56.9%              | 127<br>94.8%                    | 499<br>59.6%                 | 626<br>64.5%       |
| Cases missing data | 203<br>38.7%                  | 135<br>43.1%              | 7<br>5.2%                       | 338<br>40.4%                 | 345<br>35.5%       |

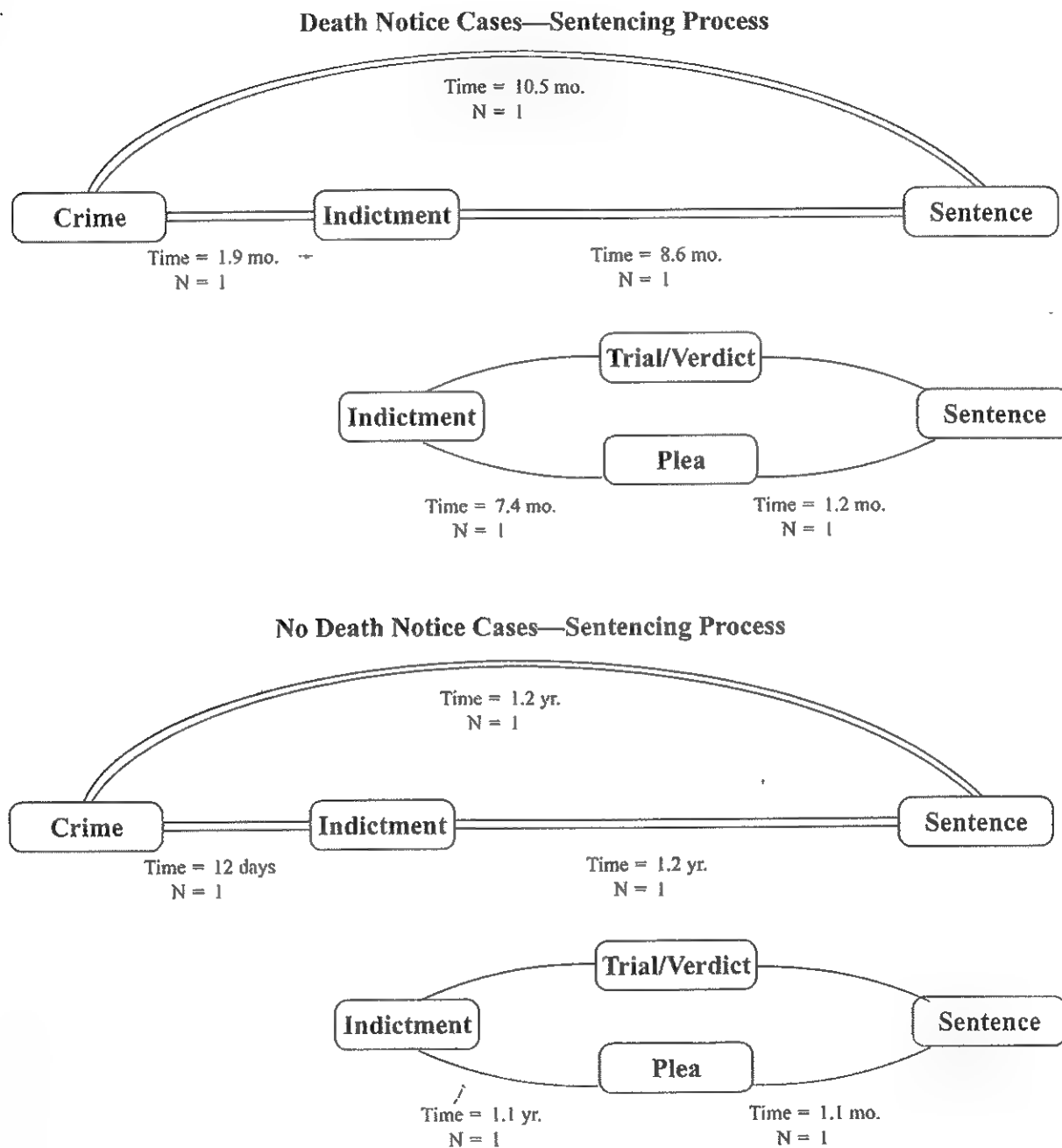
**Exhibit 28. Criminal Justice-related Factors:  
Arizona First-degree Murder Indictments, 1995–1999**

| Issue                          | No Death<br>Notice<br>N = 590 | Death Notice<br>N = 381 | Death Notice                      |   | Death Sentence<br>N = 31 |
|--------------------------------|-------------------------------|-------------------------|-----------------------------------|---|--------------------------|
|                                |                               |                         | Death Notice<br>Trials<br>N = 195 | First-degree<br>Murder<br>Conviction at<br>Trial<br>N = 143 |                          |
| Type of Defense Attorney       |                               |                         |                                   |   |                          |
| Public/Legal defender          | 180<br>47.1%                  | 124<br>45.9%            | 55<br>39.3%                       | 41<br>38.7%   | 12<br>50.0%              |
| Contract/Appointed             | 175<br>45.8%                  | 135<br>50.0%            | 75<br>53.6%                       | 57<br>53.8%   | 11<br>45.8%              |
| Privately retained             | 27<br>7.1%                    | 11<br>4.1%              | 10<br>7.1%                        | 8<br>7.5%   | 1<br>4.2%                |
| Cases with data                | 382<br>64.7%                  | 270<br>70.9%            | 140<br>71.8%                      | 106<br>74.1%  | 24<br>77.4%              |
| Cases missing data             | 208<br>35.3%                  | 111<br>29.1%            | 55<br>28.2%                       | 37<br>25.9%   | 7<br>22.6%               |
| Prior Adult Felony Convictions |                               |                         |                                   |   |                          |
| None                           | 72<br>36.2%                   | 36<br>20.3%             | 23<br>26.1%                       | 19<br>27.1%   | 2<br>13.3%               |
| 1                              | 47<br>23.6%                   | 35<br>19.8%             | 16<br>18.2%                       | 13<br>18.6%   | 3<br>20.0%               |
| 2                              | 37<br>18.6%                   | 46<br>26.0%             | 19<br>21.6%                       | 17<br>24.3%   | 2<br>13.3%               |
| 3–4                            | 27<br>13.6%                   | 42<br>23.7%             | 22<br>25.0%                       | 16<br>22.9%   | 7<br>46.7%               |
| 5–7                            | 11<br>5.5%                    | 13<br>7.3%              | 6<br>6.8%                         | 3<br>4.3%   | 1<br>6.7%                |
| 8–14                           | 3<br>1.5%                     | 4<br>2.3%               | 2<br>2.3%                         | 2<br>2.9%   | —                        |
| 15–20                          | 2<br>1.0%                     | 1<br>0.6%               | —                                 | —   | —                        |
| Cases with data                | 199<br>33.7%                  | 177<br>46.5%            | 88<br>45.1%                       | 70<br>49.0%   | 15<br>48.4%              |
| Cases missing data             | 391<br>66.3%                  | 204<br>53.5%            | 107<br>54.9%                      | 73<br>51.0%   | 16<br>51.6%              |

**Exhibit A-1a. Processing of First-degree Murder Indictments in Apache County, 1995-1999**

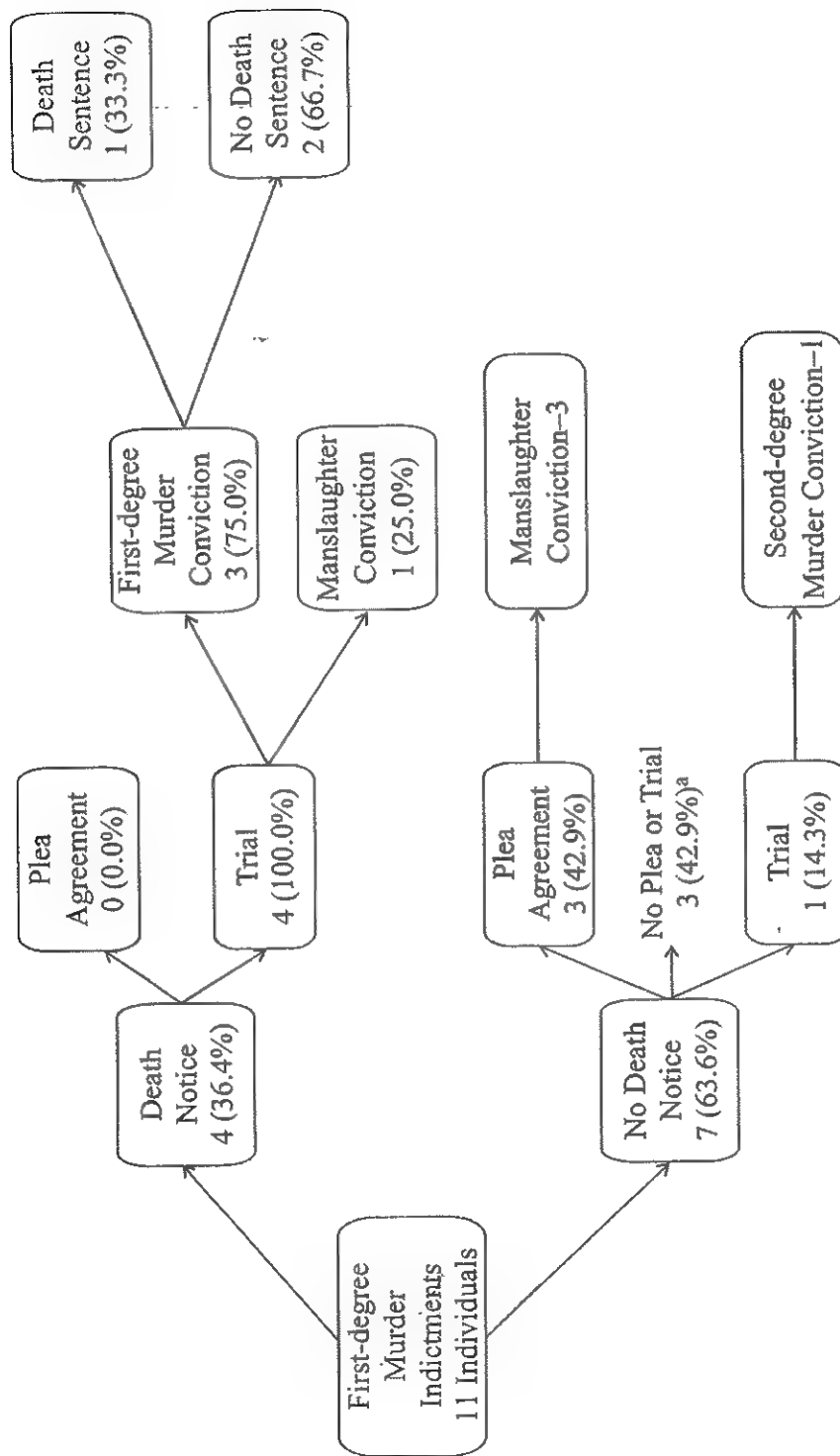


# Exhibit A-1b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Apache County, 1995–1999



The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

**Exhibit A-2a. Processing of First-degree Murder Indictments in Cochise County, 1995–1999**

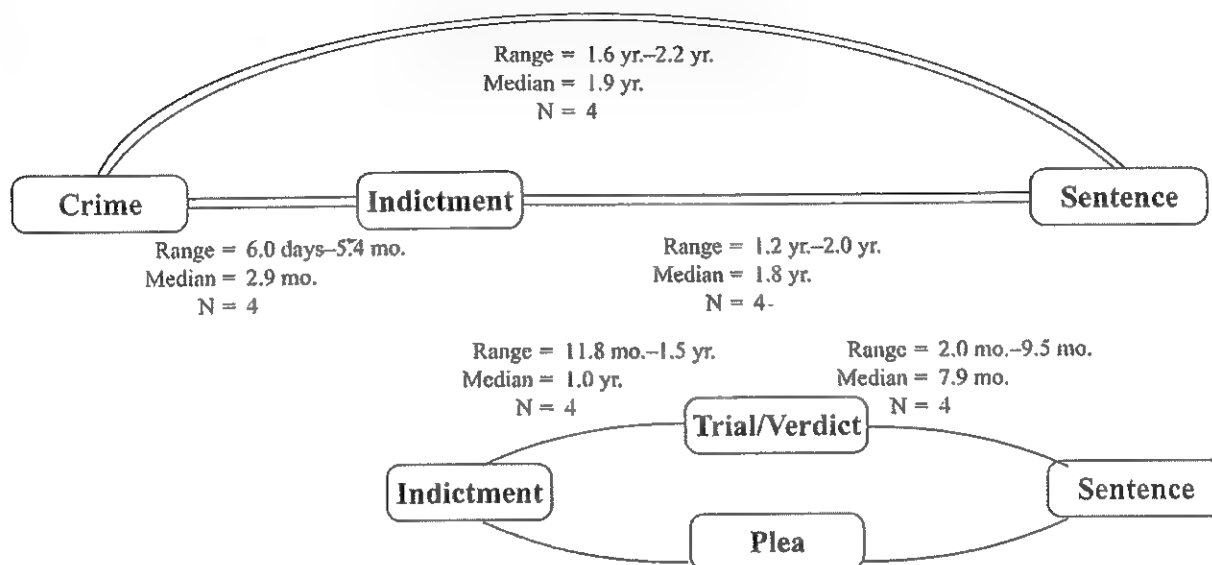


<sup>a</sup>1 dismissed with prejudice and 2 dismissed without prejudice

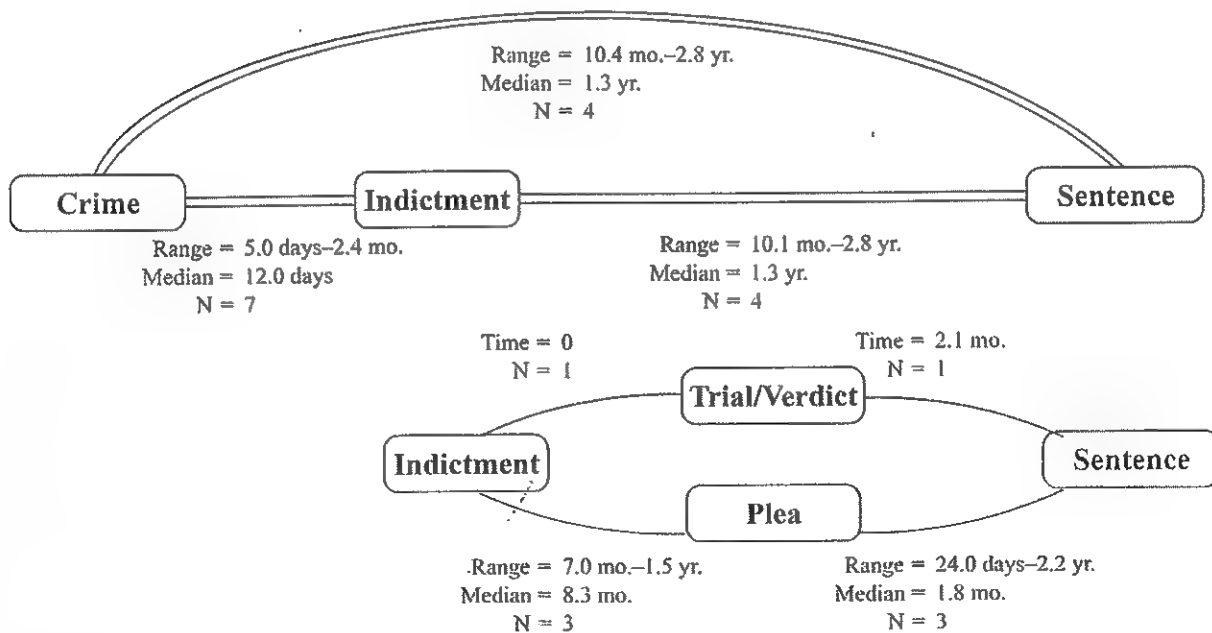


**Exhibit A-2b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Cochise County, 1995–1999**

**Death Notice Cases—Sentencing Process**

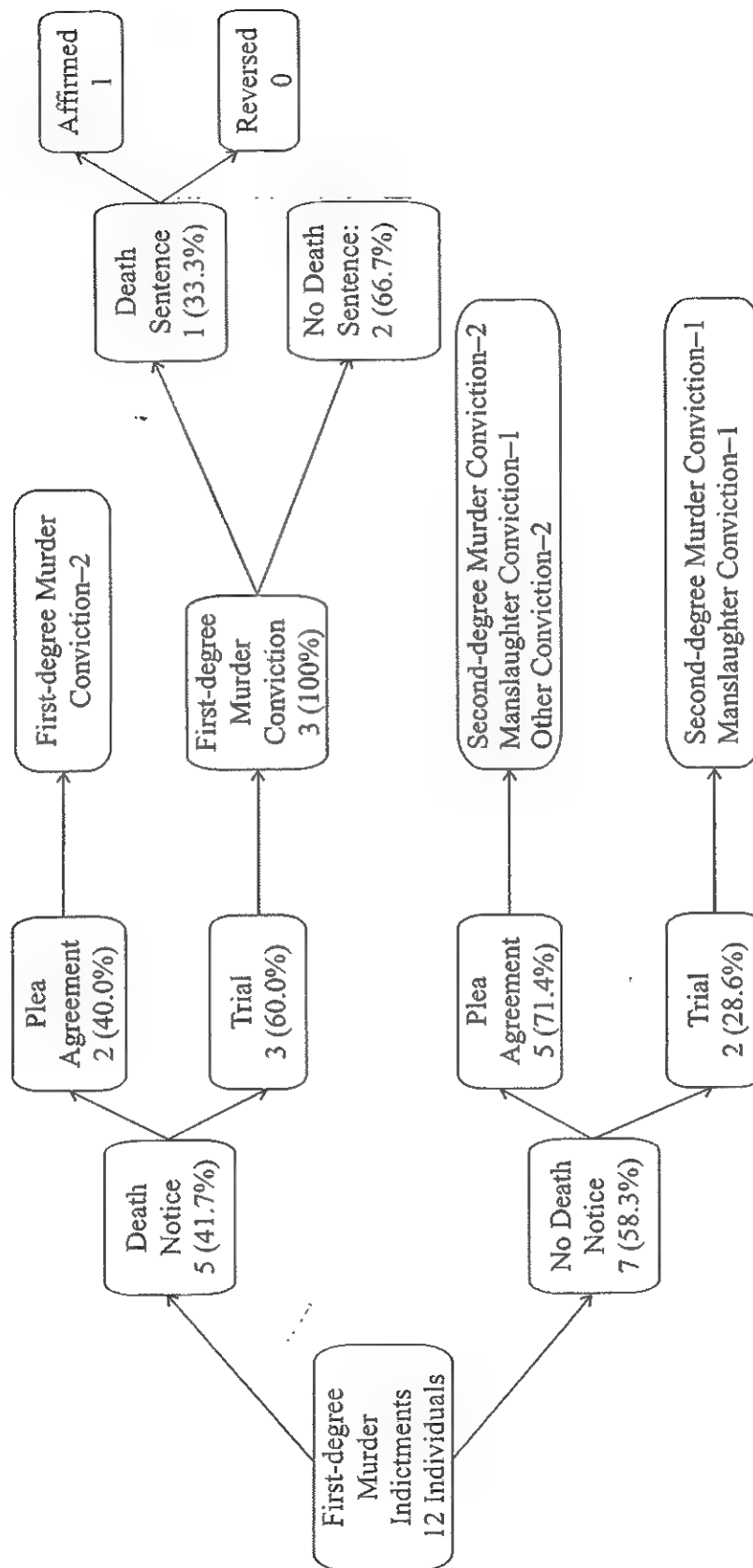


**No Death Notice Cases—Sentencing Process**

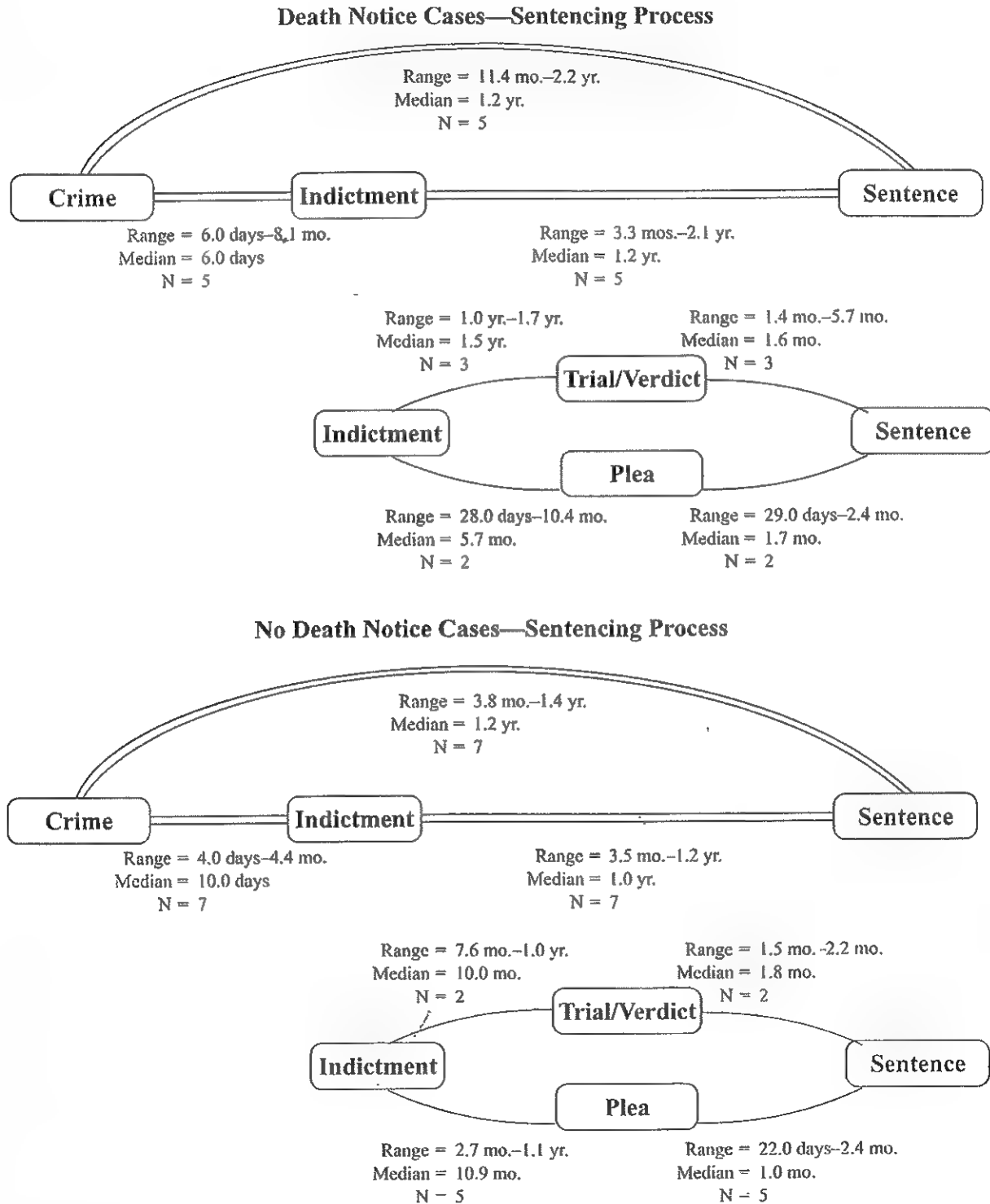


The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

Exhibit A-3a. Processing of First-degree Murder Indictments in Coconino County, 1995–1999

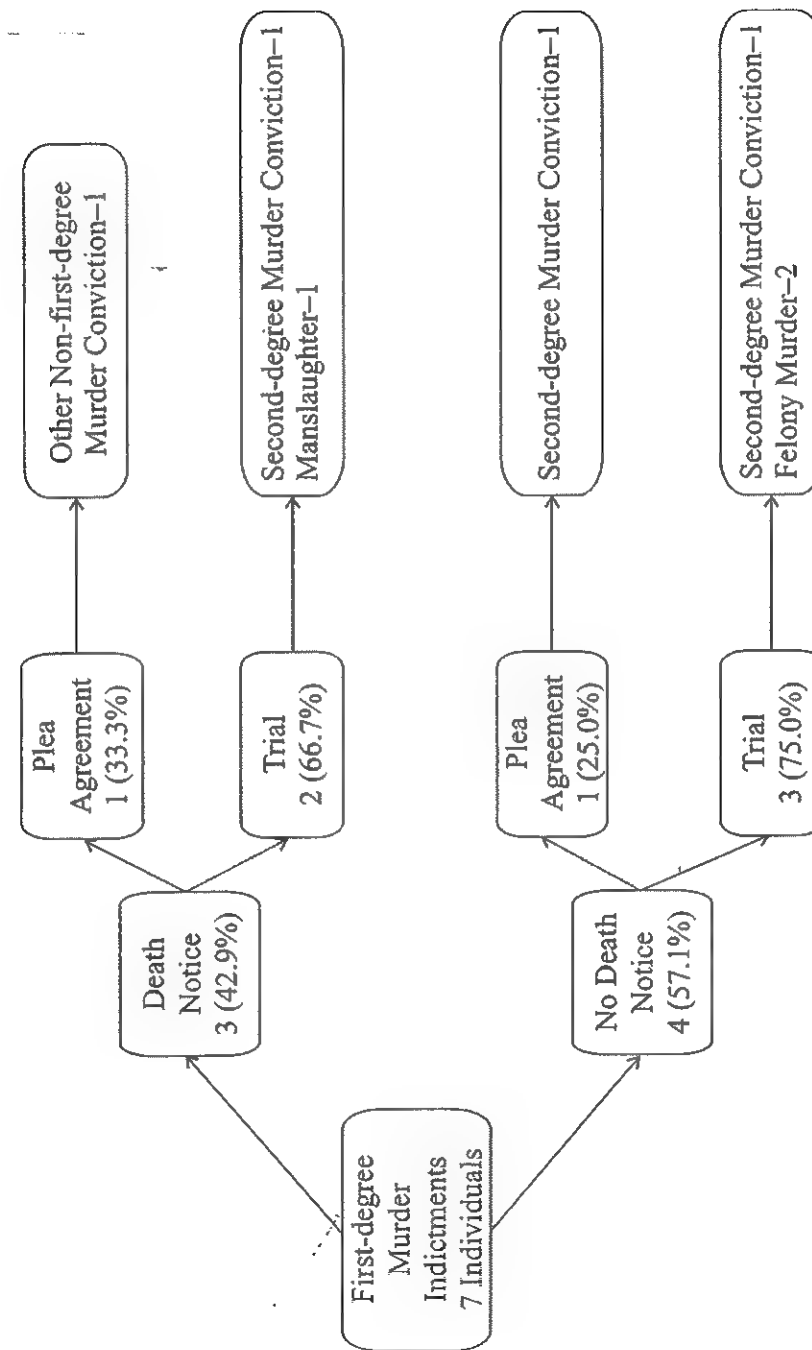


**Exhibit A-3b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Coconino County, 1995–1999**

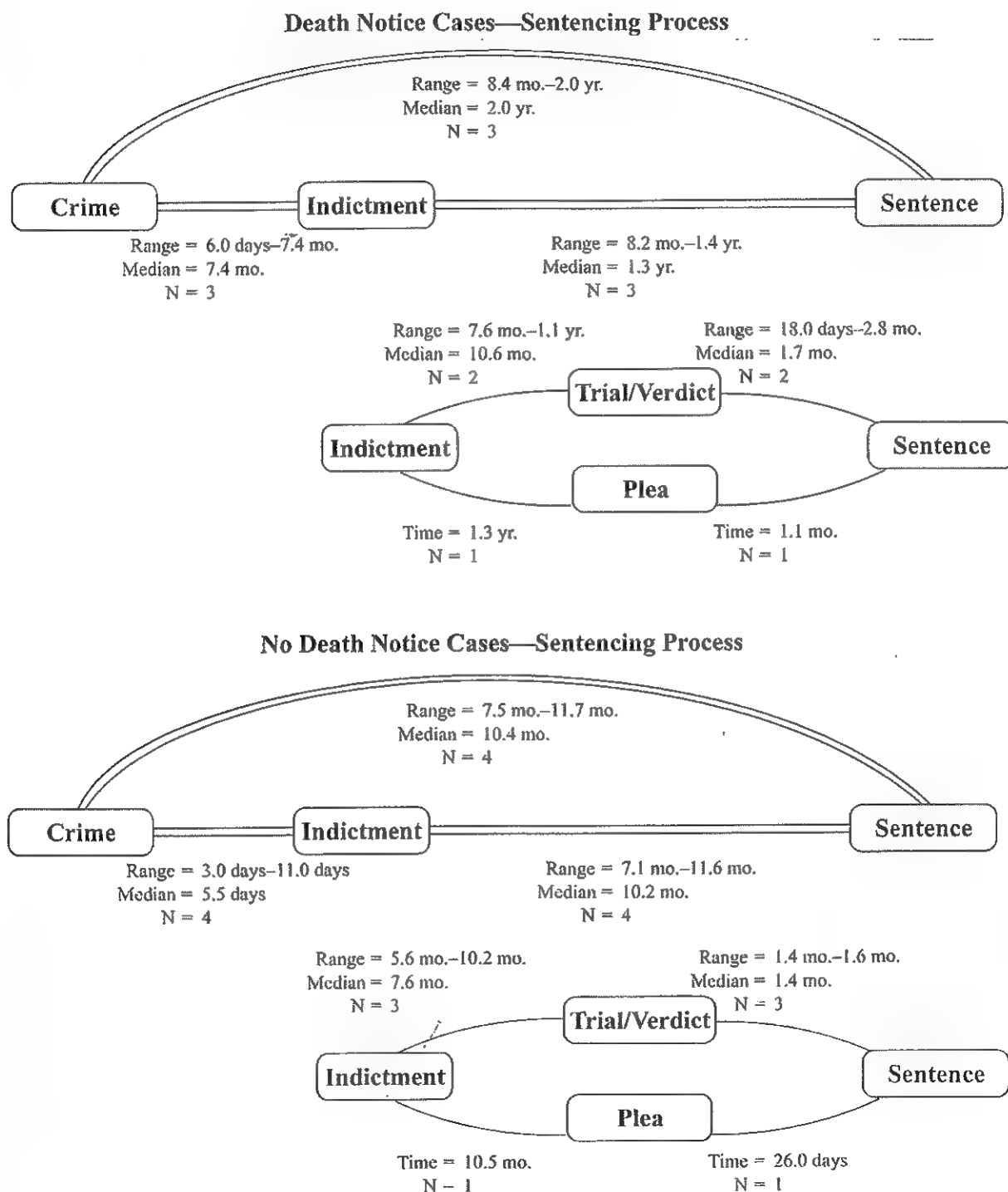


The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

# Exhibit A-4a. Processing of First-degree Murder Indictments in Gila County, 1995-1999

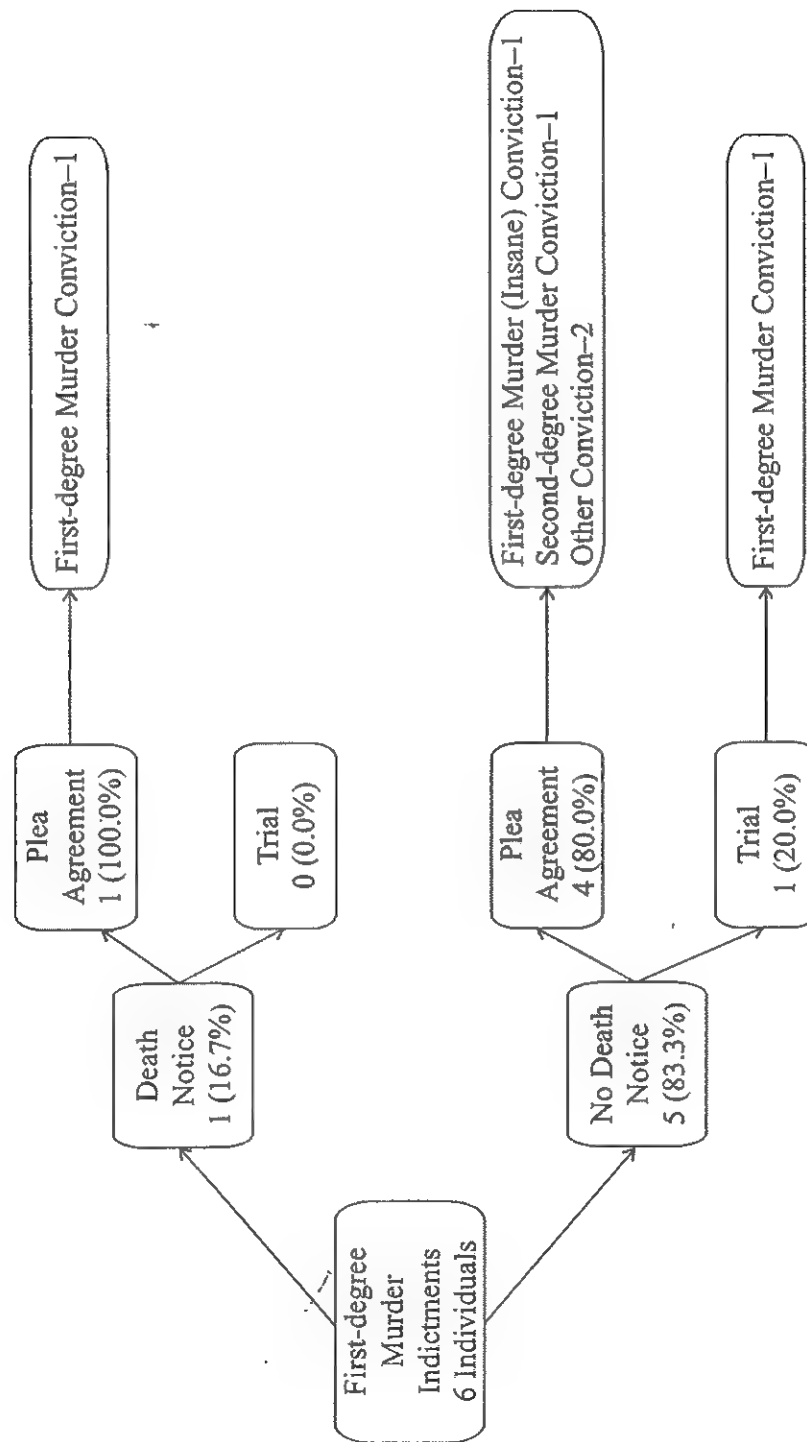


# Exhibit A-4b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Gila County, 1995–1999

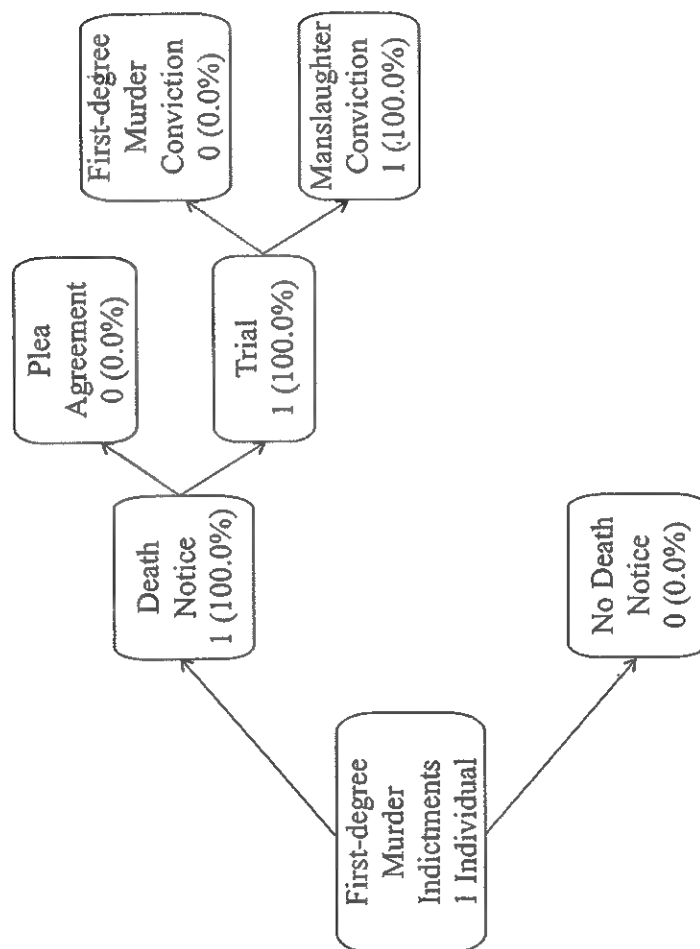


The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

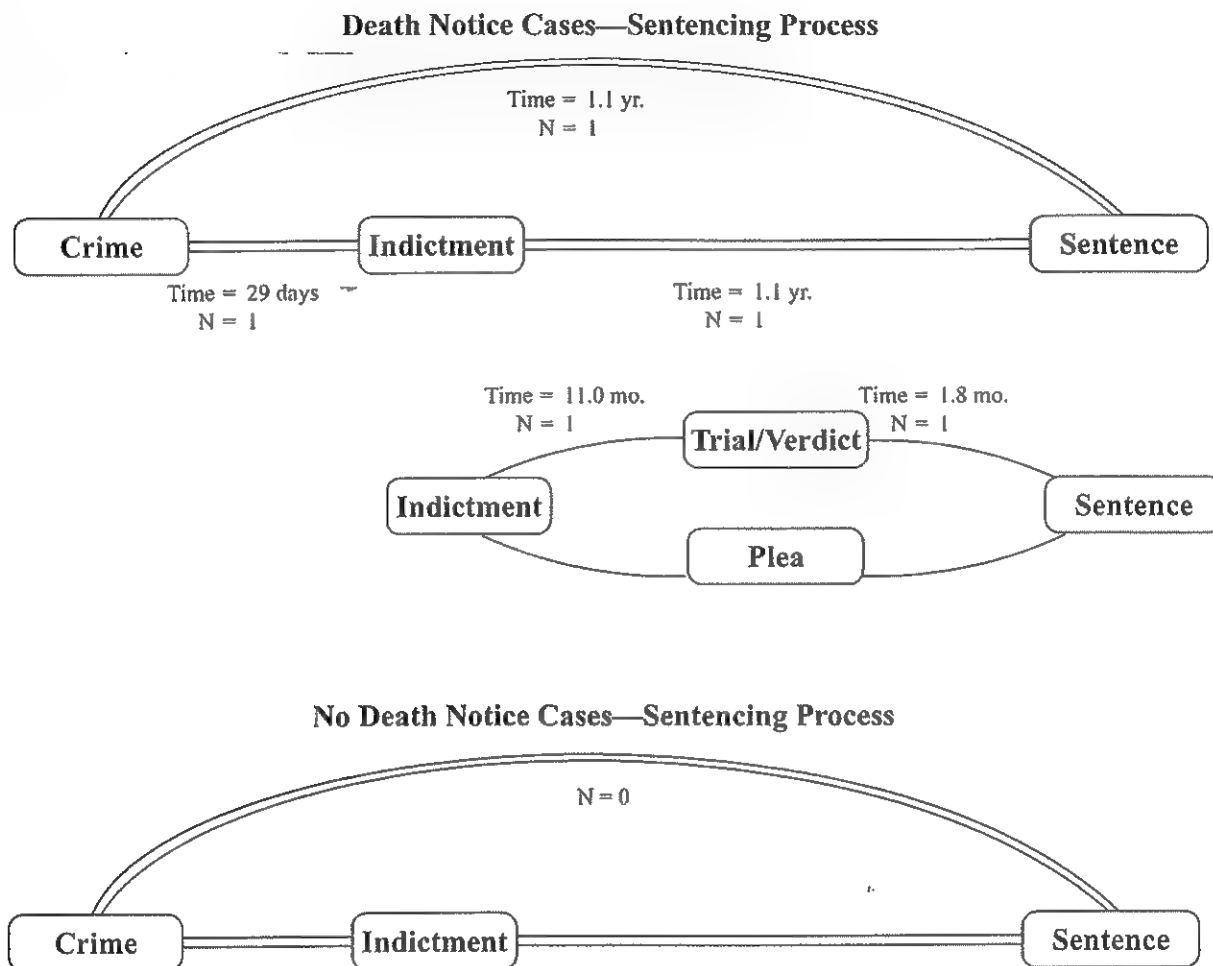
Exhibit A-5a. Processing of First-degree Murder Indictments in Graham County, 1995-1999



# Exhibit A-6a. Processing of First-degree Murder Indictments in La Paz County, 1995–1999



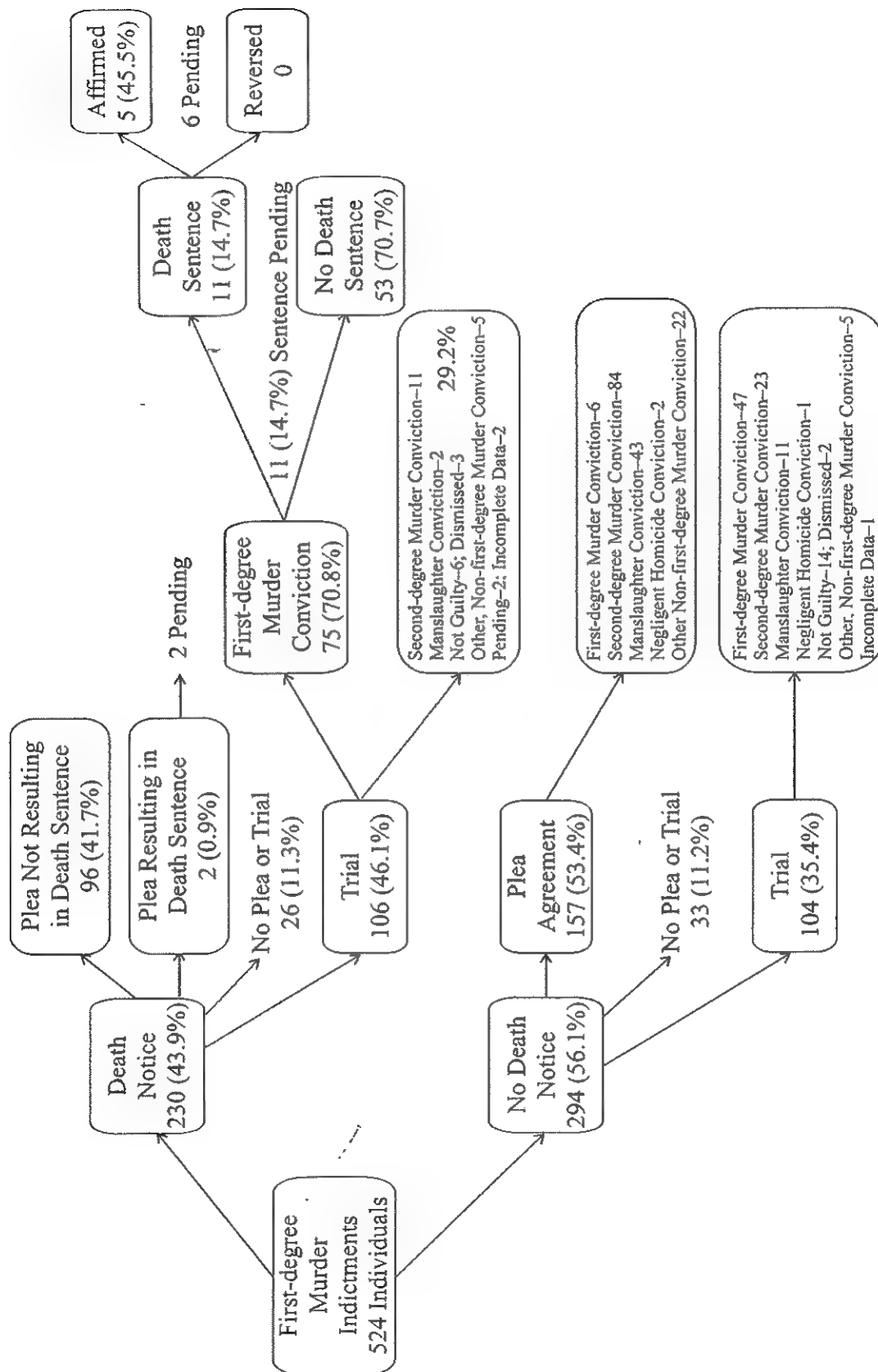
**Exhibit A-6b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in La Paz County, 1995–1999**



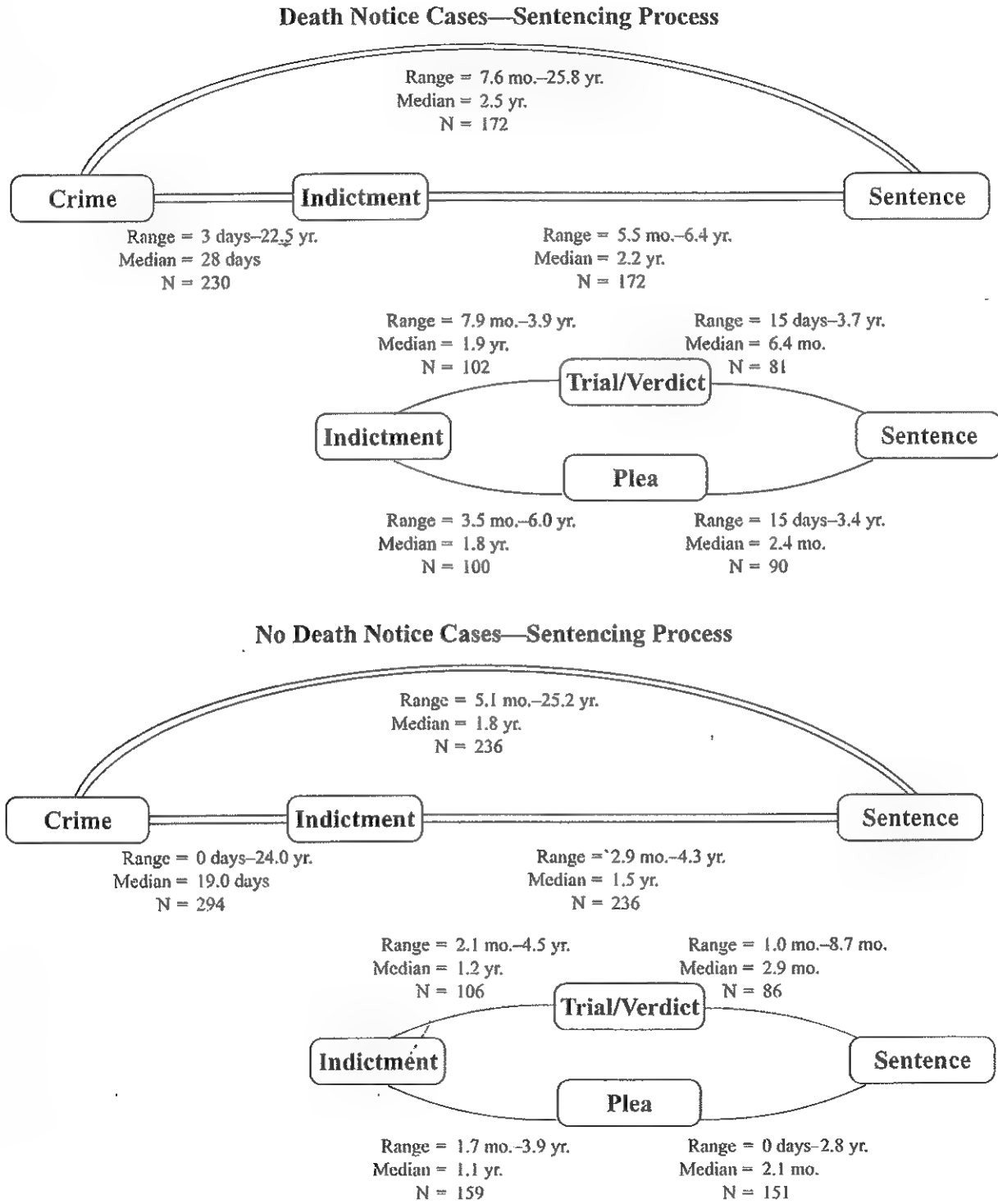
The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.



**Exhibit A-7a. Processing of First-degree Murder Indictments in Maricopa County, 1995-1999**

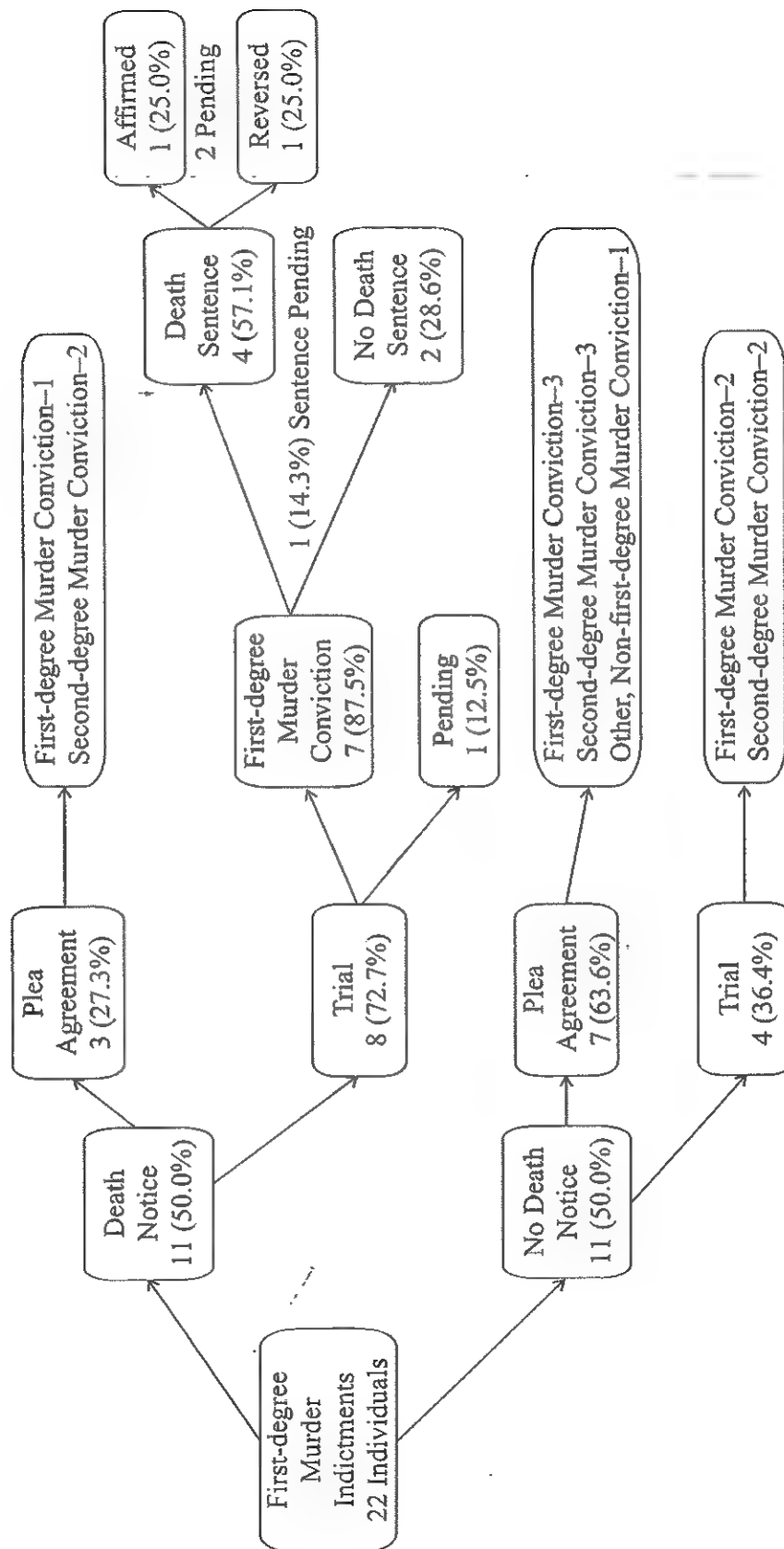


**Exhibit A-7b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Maricopa County, 1995–1999**

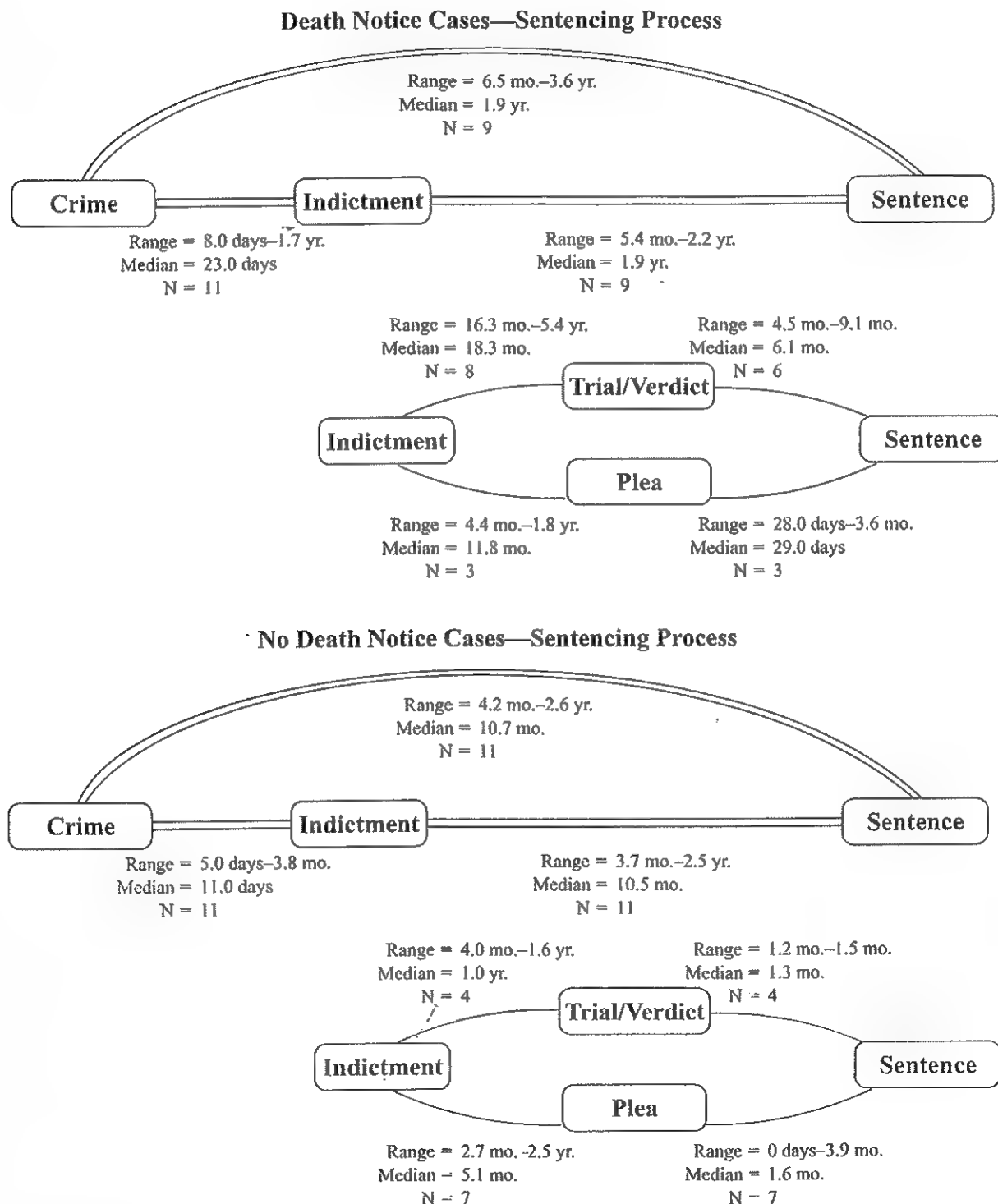


The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

Exhibit A-8a. Processing of First-degree Murder Indictments in Mohave County, 1995-1999

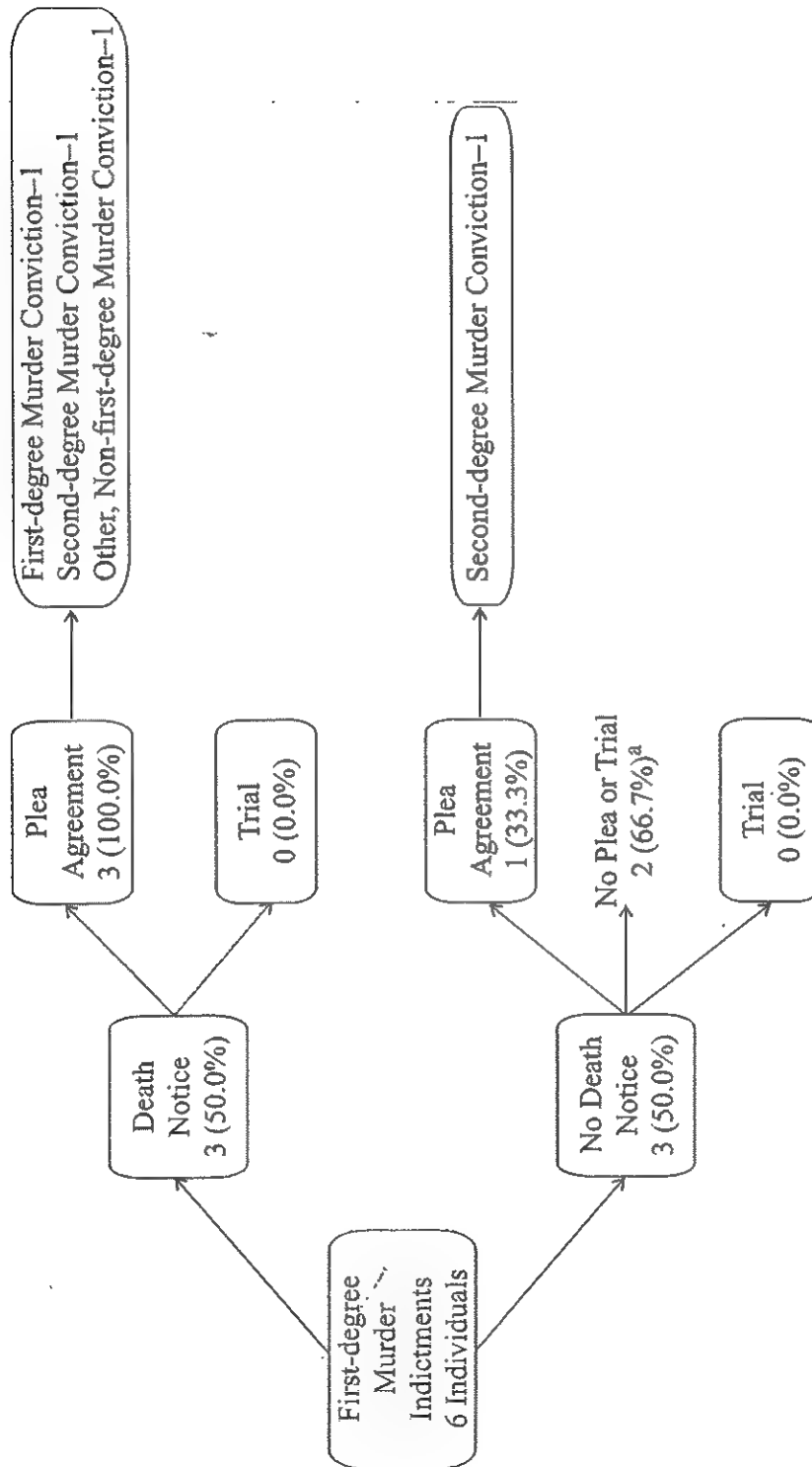


# **Exhibit A-8b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Mohave County, 1995–1999**



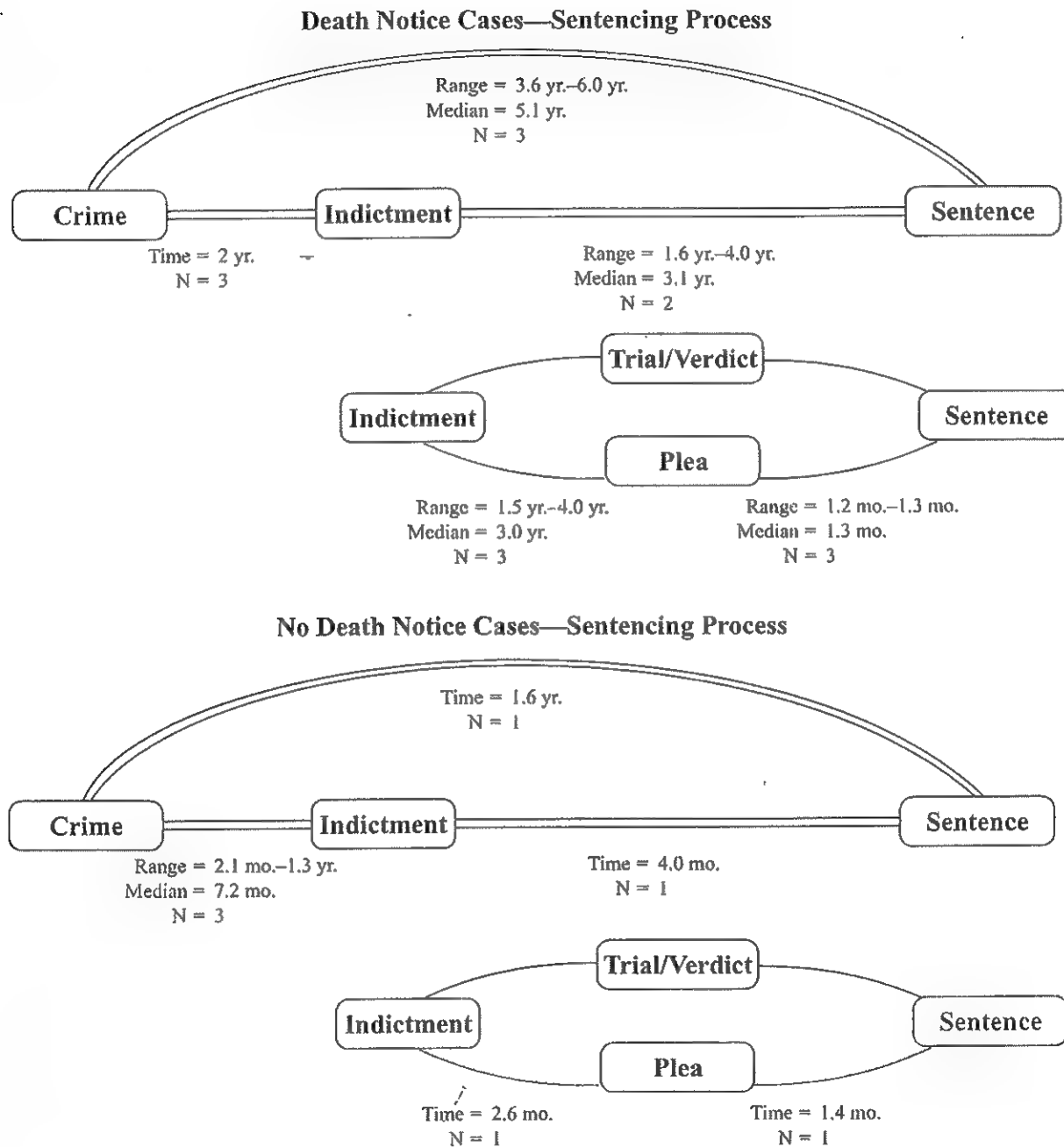
The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

# Exhibit A-9a. Processing of First-degree Murder Indictments in Navajo County, 1995-1999



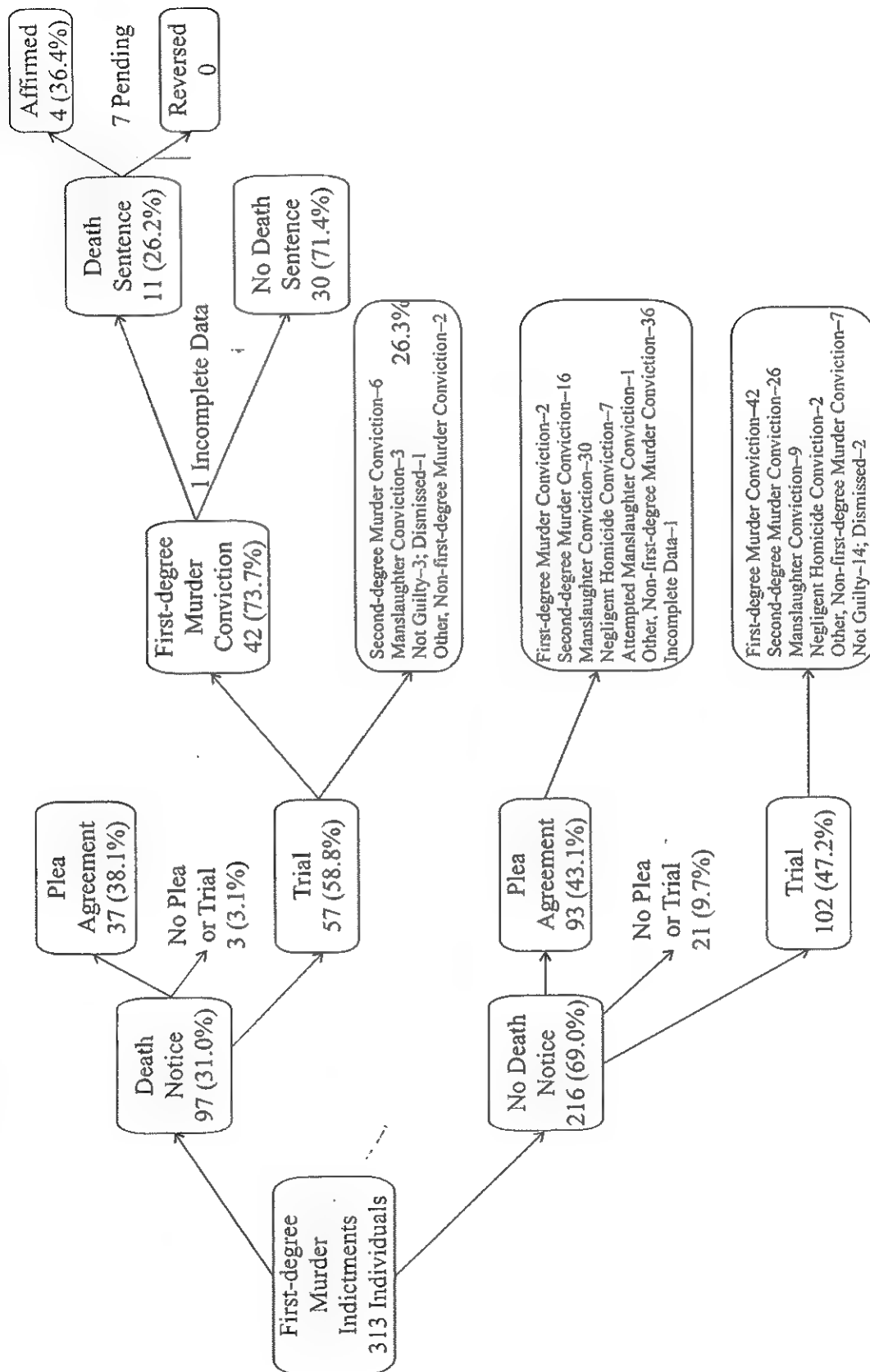
<sup>a</sup> 1 dismissed without prejudice and 1 outstanding arrest warrant

# Exhibit A-9b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Navajo County, 1995–1999

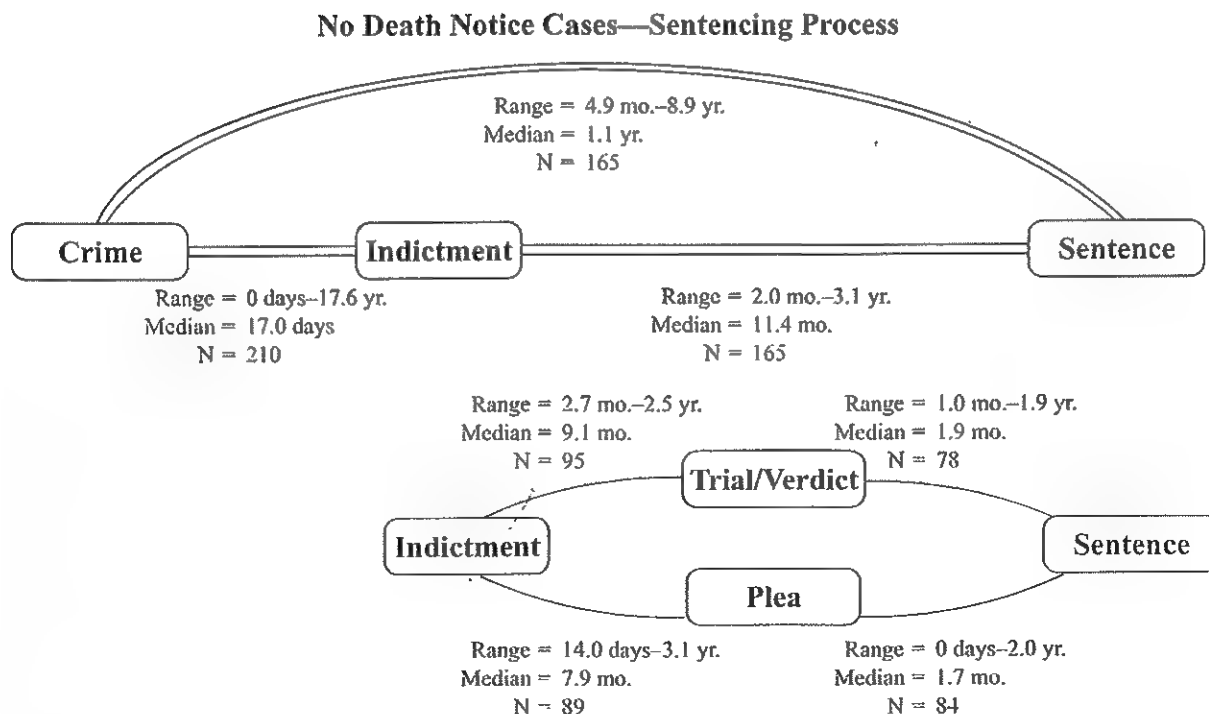
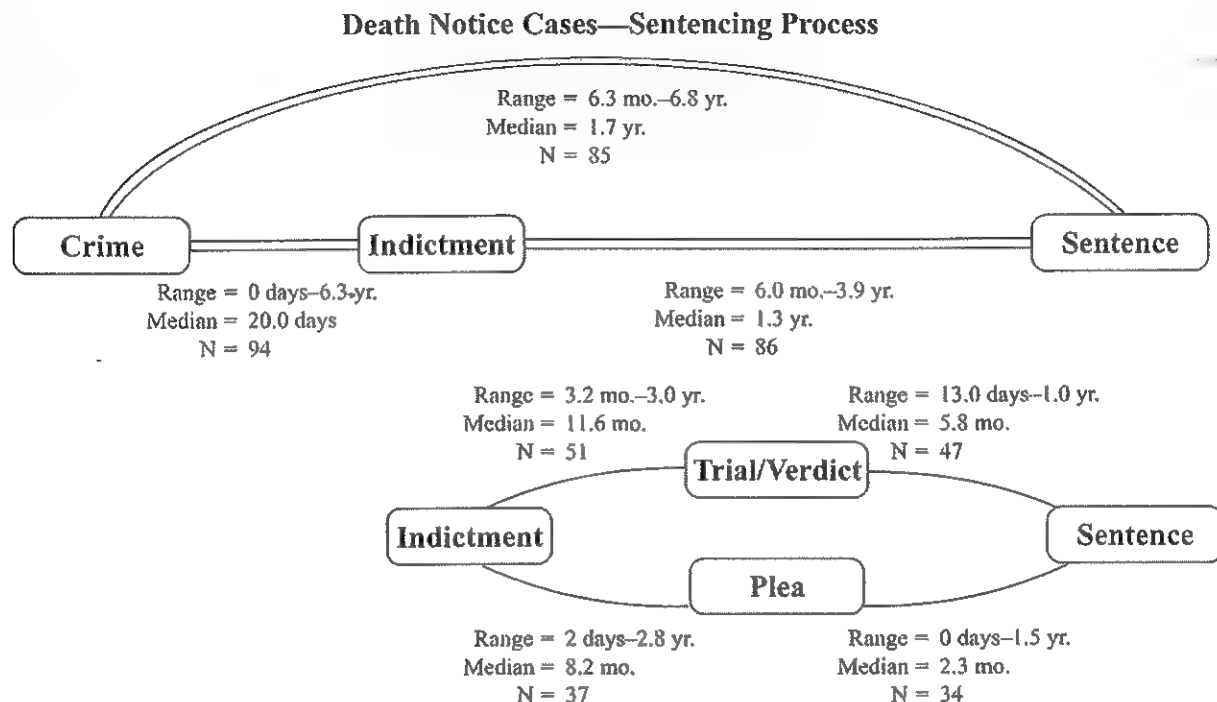


The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

Exhibit A-10a. Processing of First-degree Murder Indictments in Pima County, 1995-1999



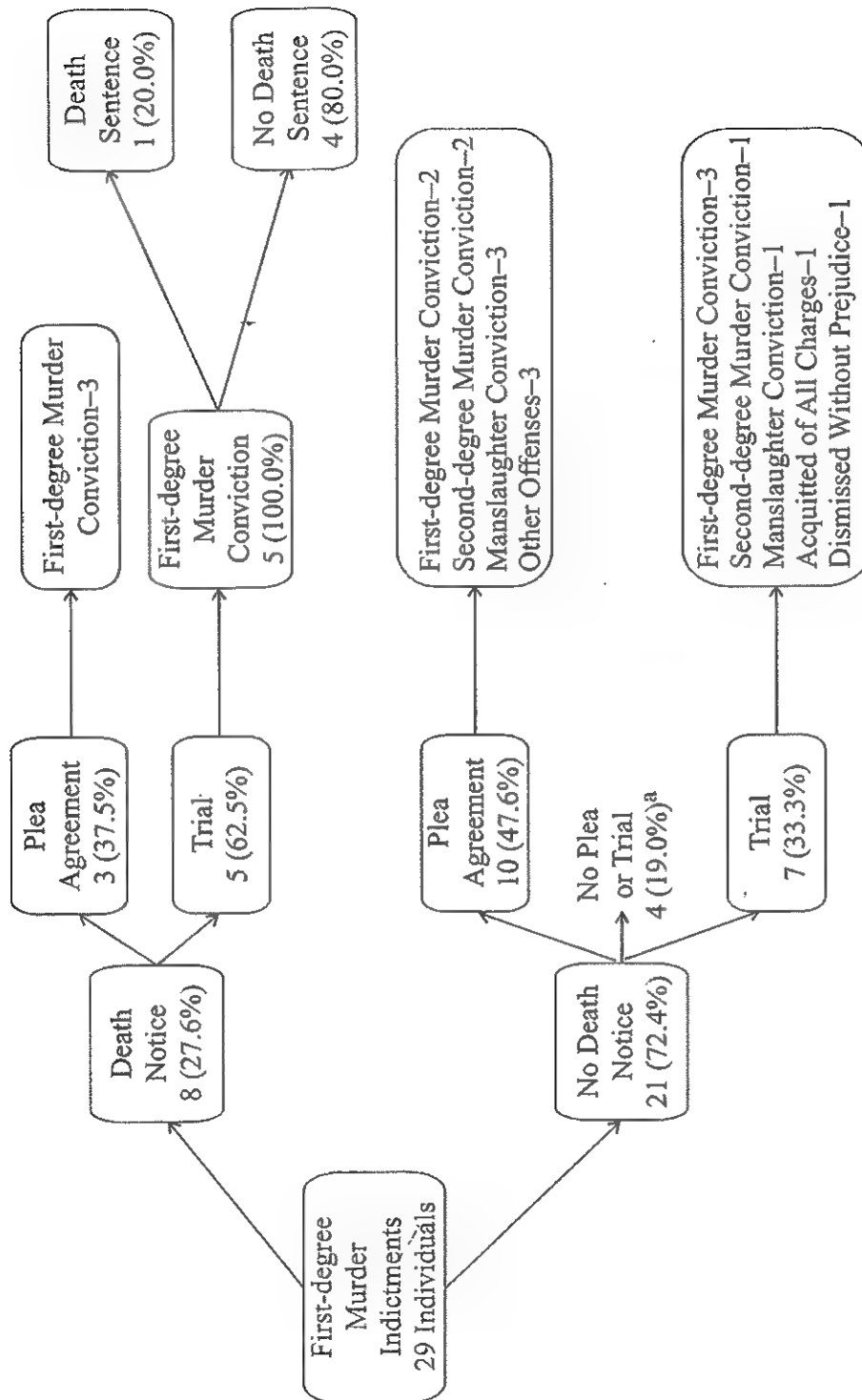
# **Exhibit A-10b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Pima County, 1995–1999**



The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

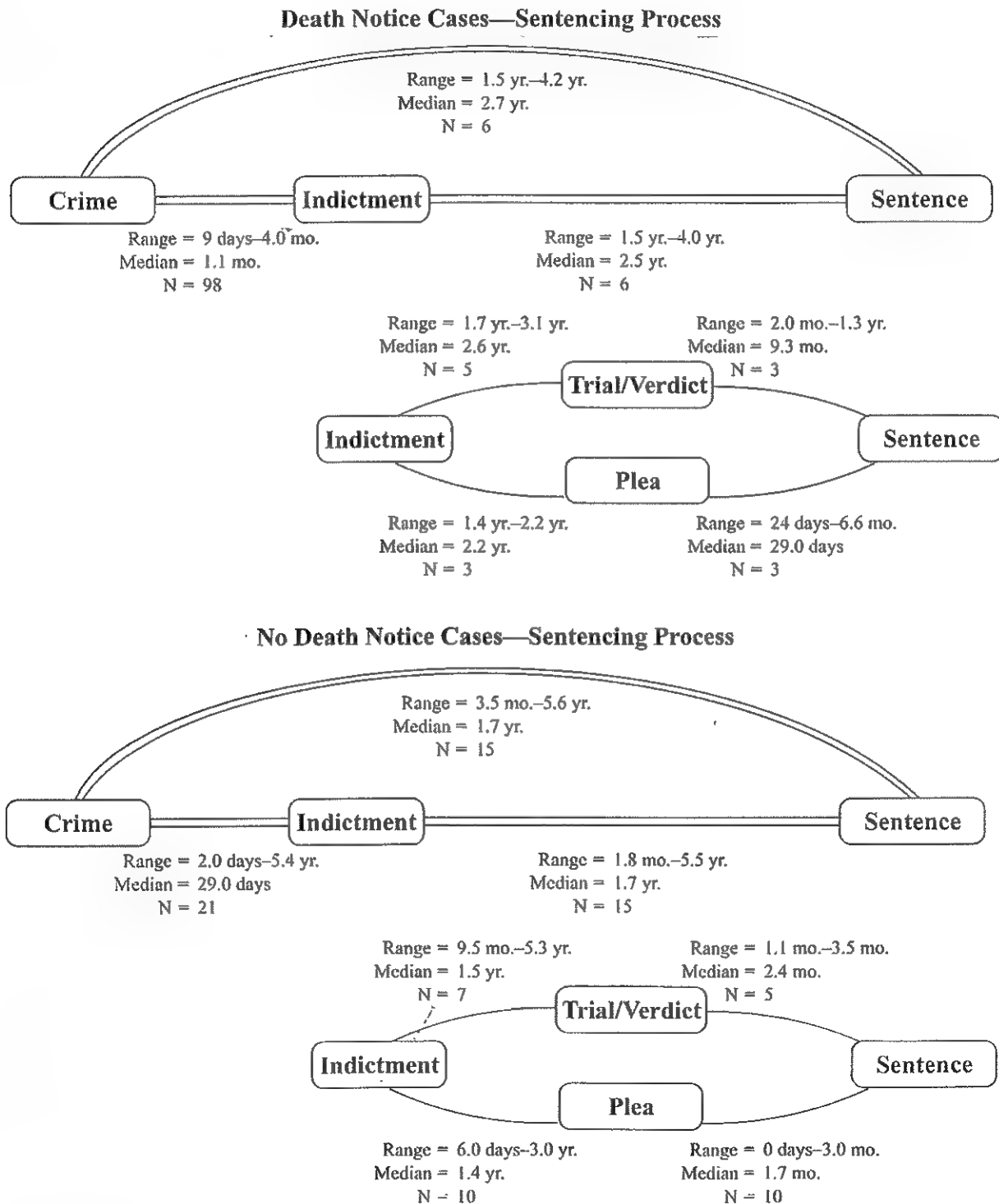


**Exhibit A-11a. Processing of First-degree Murder Indictments in Pinal County, 1995-1999**



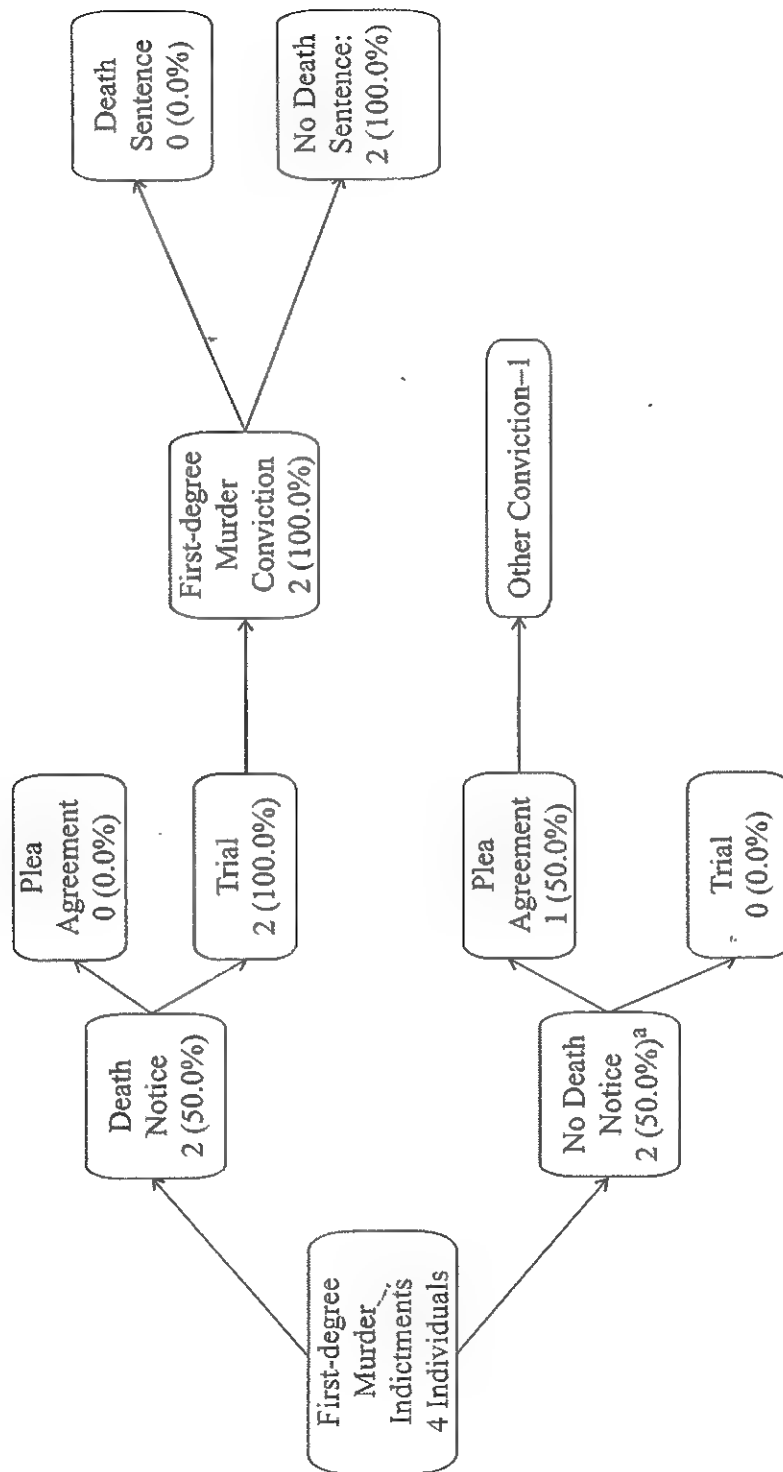
<sup>a1</sup> dismissed without prejudice, 2 pending, and 1 outstanding arrest warrant

**Exhibit A-11b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Pinal County, 1995–1999**



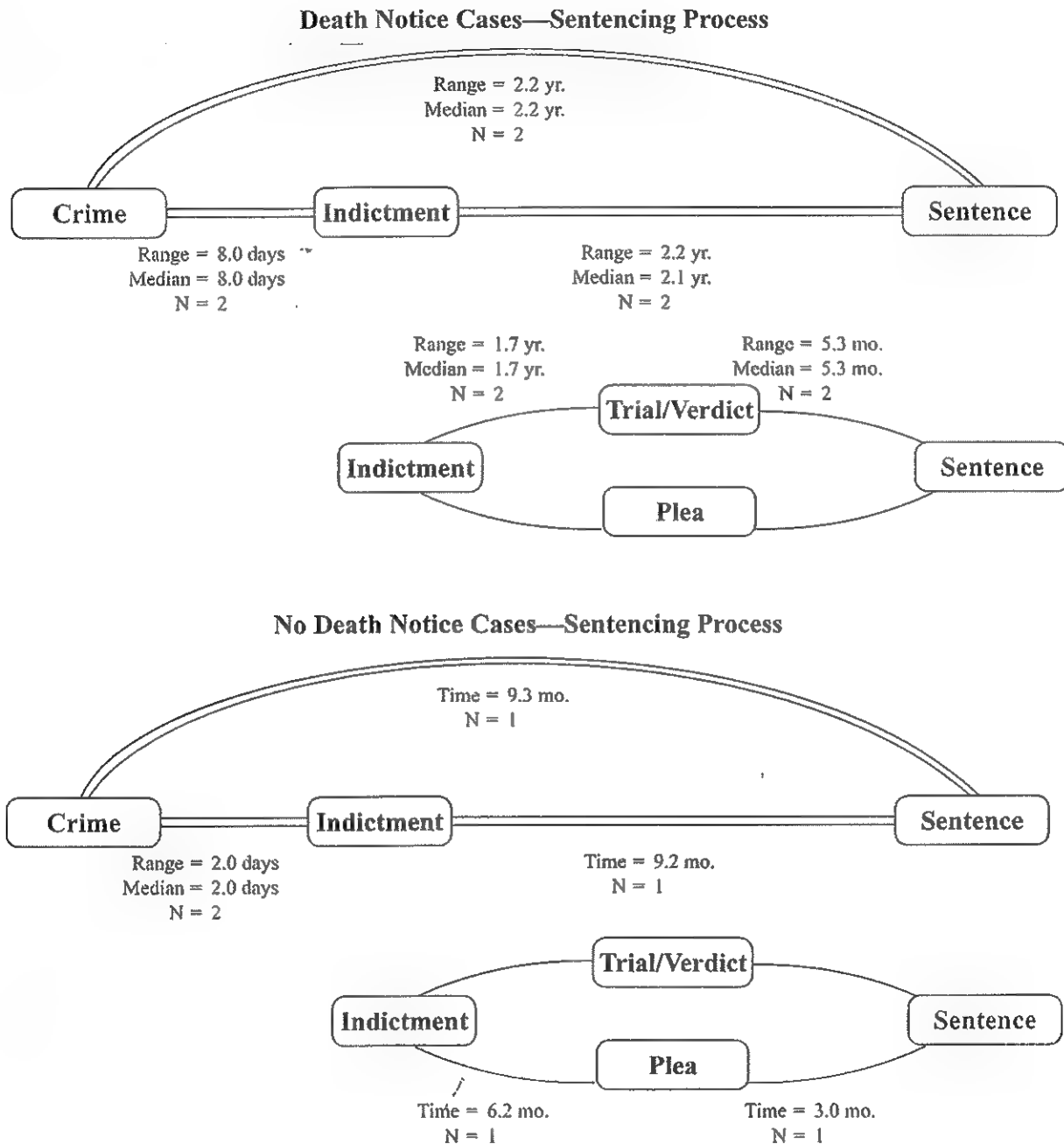
The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

# Exhibit A-12a. Processing of First-degree Murder Indictments in Santa Cruz County, 1995–1999



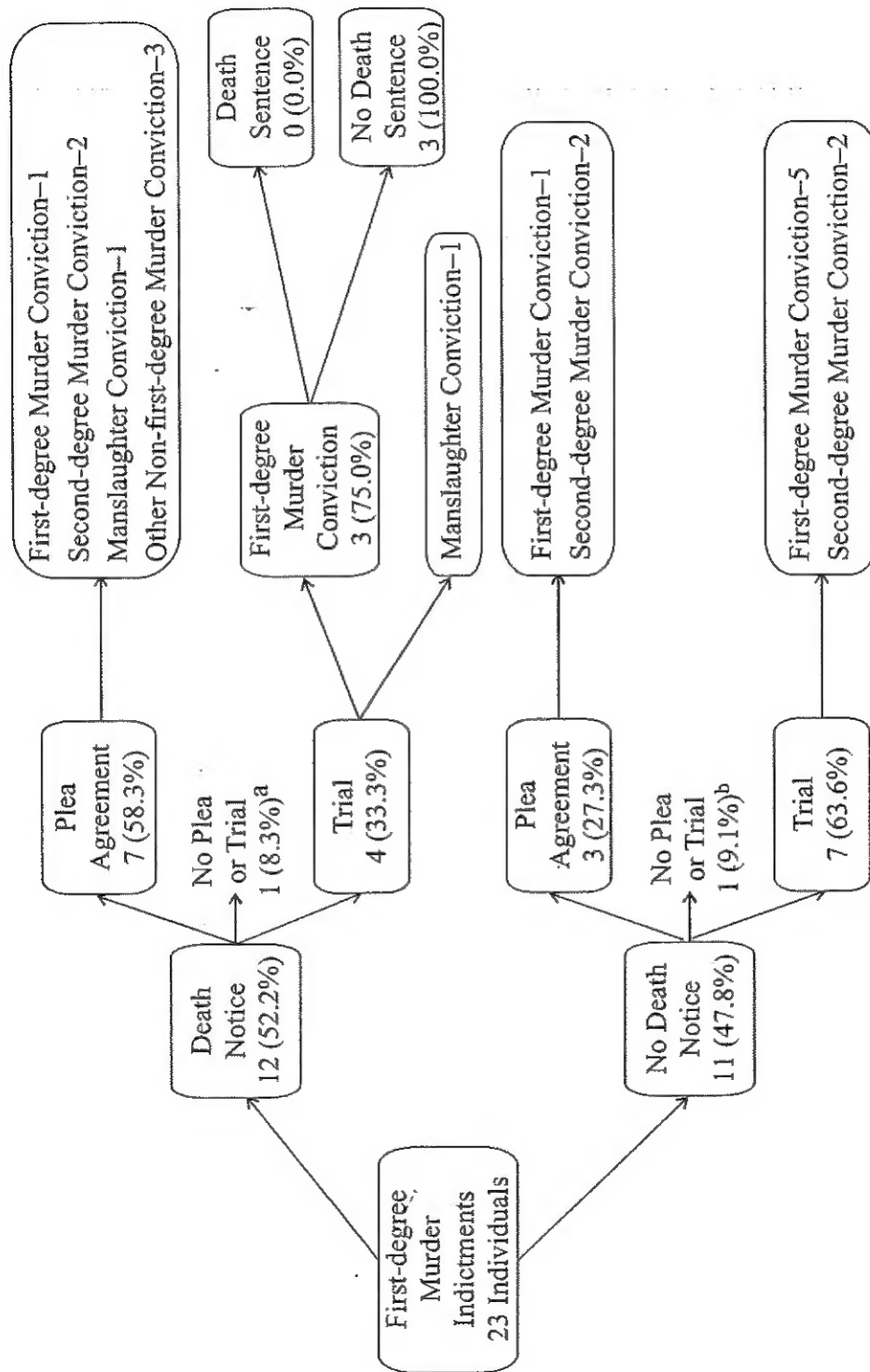
<sup>a</sup>Dismissed, Defendant Died—1

**Exhibit A-12b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Santa Cruz County, 1995–1999**



The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

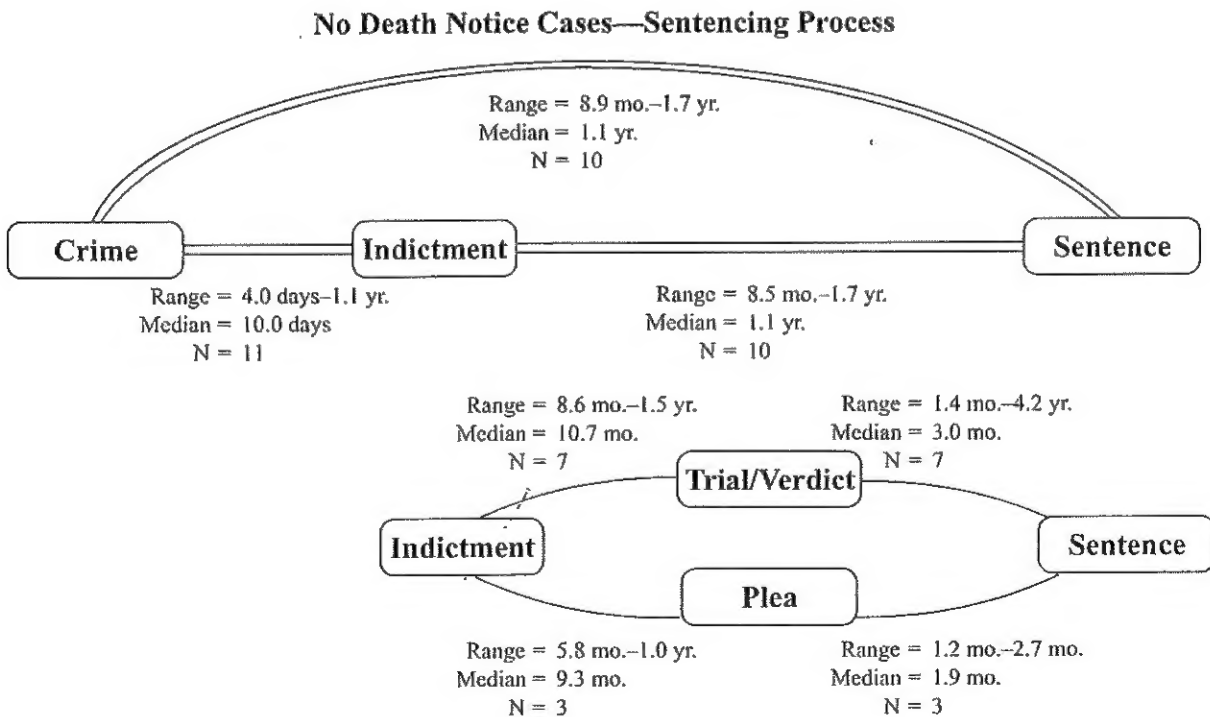
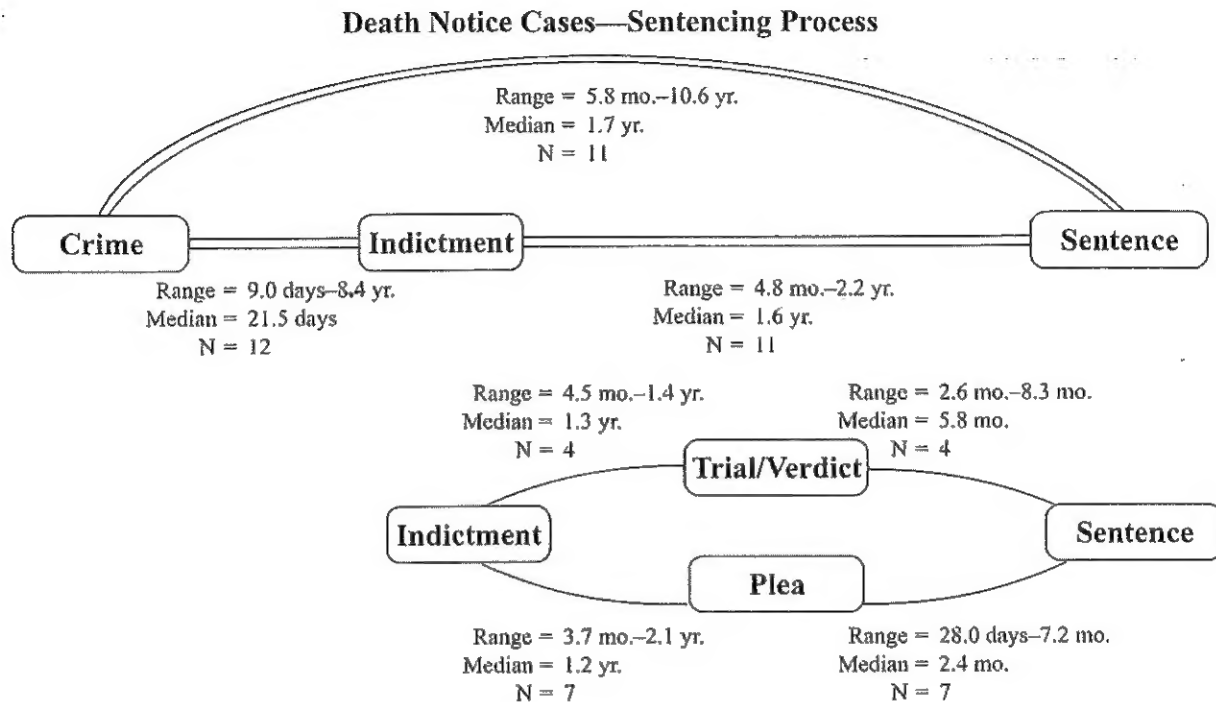
**Exhibit A-13a. Processing of First-degree Murder Indictments in Yavapai County, 1995-1999**



<sup>a</sup>Dismissed without prejudice

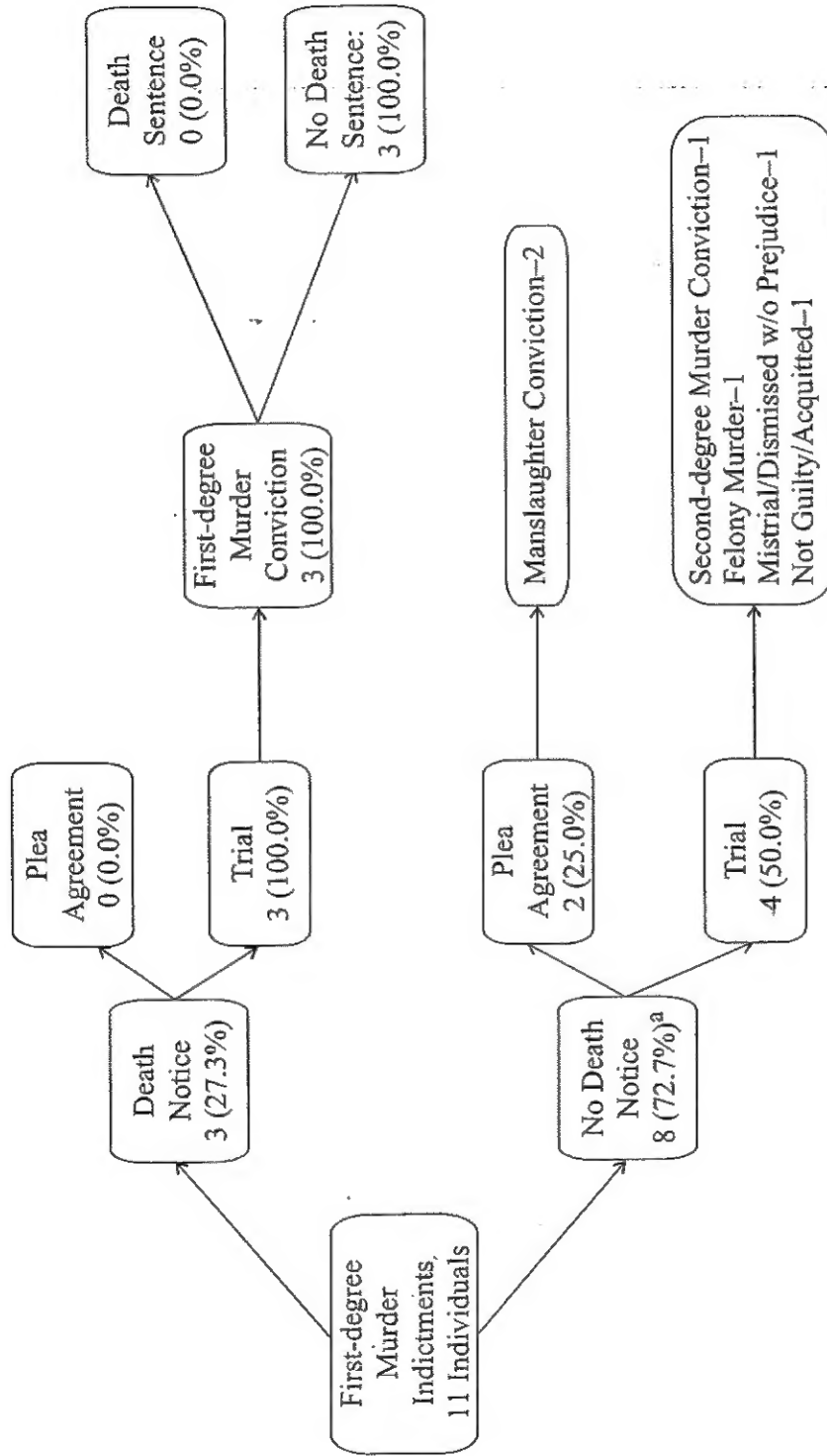
<sup>b</sup>Dismissed without prejudice

**Exhibit A-13b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Yavapai County, 1995–1999**



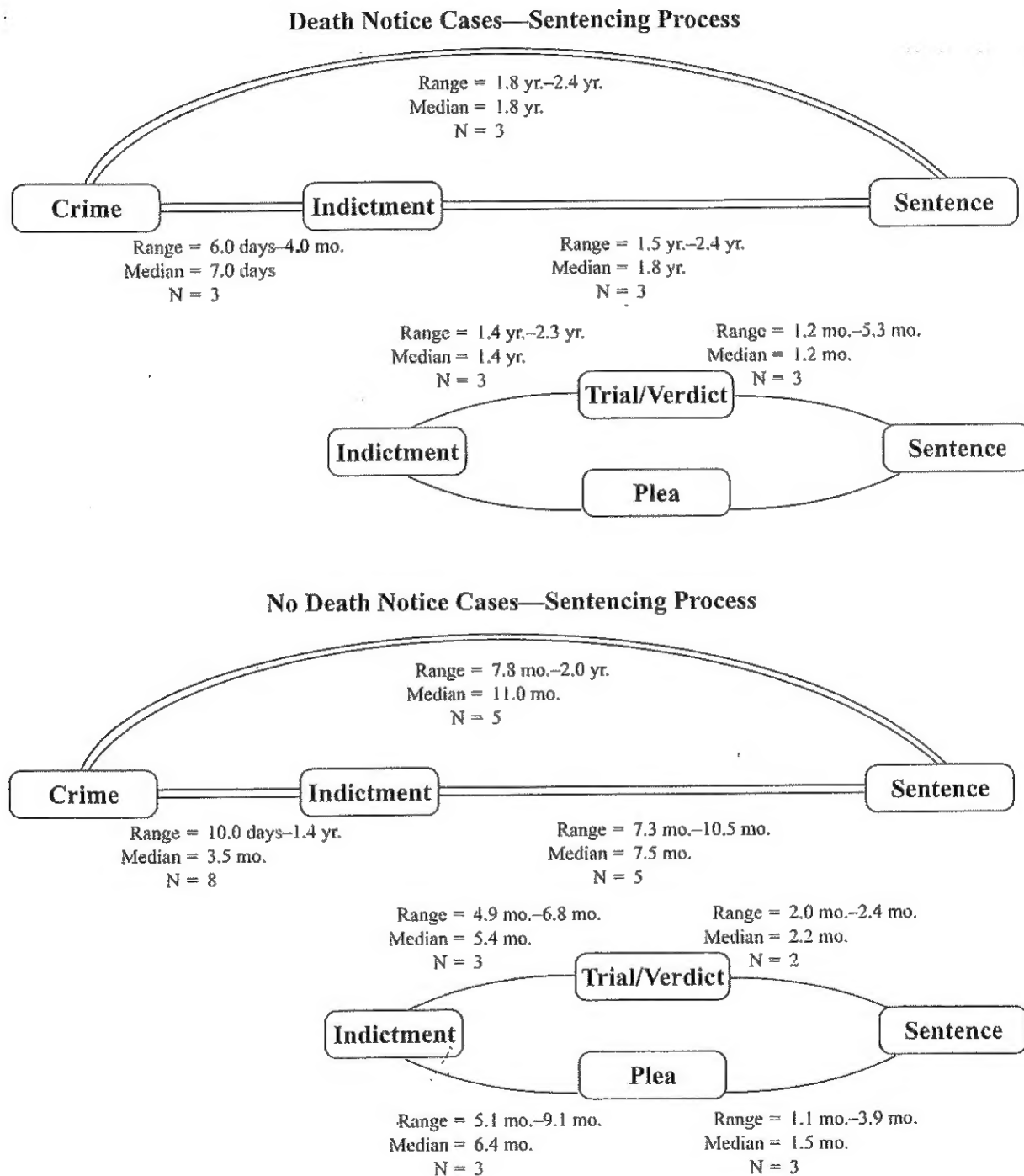
The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.

# Exhibit A-14a. Processing of First-degree Murder Indictments in Yuma County, 1995-1999



<sup>a</sup>Prior to Trial/Plea:  
Dismissed without Prejudice-2

**Exhibit A-14b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Yuma County, 1995–1999**



The median is the middle value in the ranked distribution of values.  
The range indicates the lowest to the highest values.